MARCVS Tullius Ciceroes thre bookes of duties, to Marcus his sonne, turned out of latine into english, by Nicolas Grimalde. Wherunto the latine is adioyned.

Cum priuilegio ad imprimendum solum.

Anno domini.
1558.

1534

¶ TO THE RIGHT REuerend father in god, and his singular good lord, Thomas, Bishop of Elie, one of the King, & Quenes Maiesties moste honorable priuie Counsell.

HAuing recourse of late (right reuerend father) to the old studies, that I once applied in ꝑ vniuersitie: and getting somme frute of quiet life to the perusing, & recording of those things, wherin time paste I felt myself greatly both delited, & furdered: I gaue my minde chiefly to such kinde of lerning, as wold serue best bothe to the order of my studie, & also to the gouernance of my life, so that comparing my experience, and reading togither, I might make my priuate diligence in studieng do ser-

uice to the opē vse of liuing. In folo-
wing of which intent, what by in-
crease of tugemēt for yeres, what by
trauailig abrode in ȳ world, I foūd
euer more and more so new profits,
& cōmodities: ȳ whereas, methought,
I had sene but the shadow of things,
now I begin more to see (as it wer)
the holle bodie therof. And most of
all, this proofe I haue, in the gretest
and most profitable part of philoso-
phie, which is concerning maners:
and namely in the bokes, that of du-
ties be written, by Marcus Tullius
Cicero: a mater conteining the holle
trade, how to liue among men dys-
creetly, and honestly: and so rightly
pointing out the pathway to all ver-
tue: as none can bee righter, onely
Scripture excepted. Insomuch, that
when I had well considered altogy-
ther: I said with myself, cōcerning
this, as did a certein learned mā, not
long ago, by Homer: This is the fift
time, I haue redde ouer this author:
and as oft as I reade him, so oft shew
what I finde, that I marked not be-
fore: and that hath neede to be depely
pondered: so ȳ I fantied, at the first,

be

he was easie: but now, methinks, he requieres a very heedful, & a musing reader. Wherfore not without maruailous great pleasure, espyeng: ẏ either in priuate life, to attein quietnesse, and contentation: or in office-bearing, to winne fame, & honour: or in euery estate, both to auoide disorder, and enormity, and also to kepe a right rule, and commendable behauiour: this boke plainly is the mirrour of wisdōe, the fortres of iustice, the master of manlines, the schoole of temperāce, the iewel of comlines: I wished, many mo to be parteners of such sweetenesse, as I had partely felt my selfe: & to declare, that I mēt nolesse, than I wished: I laied to, my helping hand: endeuouring, by trāslation, to do likewise for my contrimen: as Italians, Frenchemenne, Spaniardes, Dutchmen, & other foreins haue liberally done for theirs. So, chiefly for our vnlatined people I haue made this latin writer, english: & haue now brought into light, that from thē so long was hidden: & haue caused an auncient writing to becomme, in a maner, new againe:

and a booke, vsed but of fewe, to war cõmon to a great meany: so that our mẽ, vnderstanding, what a treasure is amõg them, for the fashioning of their life: and being by nature most of all other nations giuen to ciuilitie, & humanitie: whe they shal be aided, & directed by these perfite precepts: may in al pointes of good demeanour, becõme people perelesse. Yet iudge I all thys labour litle worthe, & smally, or nothing able to preuaile: without your honorable lordship were patrone herof: to whõ I do dedicate both my good hert, and my worke also: (I call it mine, as Plautus, and Terence called the comedies theyrs, which they made out of Greeke) not as to teach your lordship ought, that you haue not alredy: but by your auctoritie, to gette it the more estimacion with other. For as Tullies treatise, being so ful of learning, asketh a learned mans iugement: which whoso refuse, they show themselues to be vnwise: euen so such a noble Counseler of Englãd seemeth most meete to receiue so noble a Senatour of Rome into a straunge

straunge region. Doutlesse among so many honorable deedes of your lordships, it shall not be the least honorable: if ye doo Marcus Tullius this honour, to welcome him hither: and to be the very cause, that so famous a Romane may becomme familiar with our English menne. So shall a worthy pere be worthylie entreated as very curtesy requireth: so your lordships iudgement muste needes bee wel liked: which is wonte to alowe lowely knowledge, & goodnesse: so will the cõmon people more hyely esteme the thing: as it is expedient for them to doo: and the soner also wil they folow these holesome lessons: which is full necessarie, in a weloordered state: to be shorte, your lordshippe, for a chosen patrone: my translation, for a welcome worke: & Tullie shal be taken for such a Tullie, as he is. And like as Marc⁹ Cicero, with the auctoritie of a father, cõmended these bokes to his yong Cicero: so whẽ our English youth shal beholde them once auctorised by so reuerend a father in God: nodoute, they will be the rather in loue wyth

them: and will counte it pleasaunt paines taking here to enriche themselues with enformations of vertue, ensamples out of stories, moral doctrine, politike prudence, antiquitie, varietie of maruailous matters: so conningly, and oratorially treated, and endited: as he was able to declare, & expresse: who was the first, and the chief that euer clad̃e ladie Philosophie in Romane attire.

Thus, verie lothe to let your lordship from your weighty affaires, I make an end: & pray god, long to preserue your honorable lordship in helth, with increase of honour.

(·.·)

Your humble orator,
Nicolas Grimald.

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All thinges in the worlde (good reader) be made for some vse, & end: which end is more worthy, than all, that dothe seruyce therunto: and where both the ende is good, & what so serues thereto: there ỹ holle doing is likewise good. In vs the best worke is, to vse our selues well, and worthely: who in the order of naturall things are of the best, and worthyest kinde. For what is ther, that can vse it self: onlesse it be enfourmed wyth reason: and vnderstanding? Dume creatures, and lifelesse of other bee vsed: but themselues can they neuer vse. Beastes endewed with life, and sense may seeme to haue some semblãt herof: in ỹ, they vse their feding, lodging, & other necessaries: yet therby they obteine neither prayse, nor dispraise: seeing they do it not of any free choise: but onely by the motion of kind, & as their appetite drawethe them.

them. But we, who haue the great gift of wit, and reasō, must not most of all stick stil in that appetite: to get nothing els, but pleasure, & profitte: but ensewing the heauenly guyde of our nature, must be ledde to ẏ desire of trouth, honour, and seemelinesse: wherewith the more that we be decked, adourned, & beautified: the farder wee be from the brutishnesse of beastes, and the nerer approch we to the nature diuine.

In as much then as euery thing is borne to doo that, which to his kinde is most agreable: and vs it besemeth most to vse our selues: our parte wt̄out doute, & our dutie shall wee doo best: if we emploie the vsing of our selues to deedes, ẏ be honest, & commēdable. Other things whē we vse: as lande, houses, armour, horses, howndes, money, clothes, or stuffe: we can not yet vse them at al tymes: and with them we must enforce, and bysie our selues also: whereas the vsing of our selues is in euery place at hand, and at no season to seeke.

For wether we be doyng somwhat, or at rest: whether we abide in the countrey,

countrey, or in the citie: whether we be occupied in ernest, or in game: no pawse ther is at al, but night & daye we vse our selues continually. Which thing sithe in euery portion of a mannes life it hath place: if it be wel, and wisely, and conuenently done: we shall be wealfull, and in a blessed case: if vngraciously, & fondly, and wickedly: wretched shal we be, and in a woful plight. Thys are we taught to much, by the cõmon life of men: who for default of skil, how to behaue themselues, be confounded in depe derknes of errour, and ignorance: and wanting the right rule, they take chalk for cheese, as the saying is: they can not frame their affections, nor kepe them in temper. But such maner clowdes be clerely dissolued, by the beames of Philosophie: whych sets before our yesight the verie endes, and markes, that selfe nature hath appointed vs.

For in this world here beneath, are thre kindes of liuing wights: wherof somme haue nomore, but lyfe, as plantes, herbes, and trees, growing out of the grounde: somme haue not

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onely life, but senses also: as sheepe, oxen, & other beastes: the third comprehēdeth both these: & ouer life, and senses, hath the soueraine ruler, Reason: as in the nature of manne we se thēe al conioyned. It remains therfore, and meete it is for him, such doings to practise: as may both seuerallie agree with eche of these parts, and generallie with thē altogither. To the parcell inferiour (by whych we receiue our nourishment, our growing, & the state of our body) welfare is appointed the vtmost ende: wherin the thing consisteth that wee call profitable: which concernes the getting, mainteining, or recouering of helth. Of the soule, or life endewed with senses, pleasures is ỳ end, that it would enioy. The thirde nature, which is partener of reason, hath this prickе to shoote at (if you consider it by it self alone) sciēce, & knowledge of trouthe: if you beholde it with the other two accommepanied: it hathe honestie, worshippe, and honour.

These bee the verie endes, whereto mannes life, and nature must endeuour

nour to attein: hither doth Philoso-phie promise to bring a man, by her information. For when she hath told in a generaltie, what is honest, comely, vailable, praiseworthy, and in euery point conuenient: then may men, by intelligence perceiuing the trouthe, truely expresse the same in euery particular deede.

Wherfore seing reason conteins the holle life of mã: and to it, as to their captein, the other parts be obedient, or at least wise ought to be: first: marke we the peculiar property of reason: then, how with the other powers it exerciseth man: afterwarde, the comely behauiour, and dutifull dealing in the open resort, and fellowship of men.

Mannes minde is contented, and satisfied with nothing so much, as the clere vnderstanding, and the vndeceauable science of soothe. Chiefly standeth his mind in contemplation of immortal, and perdurable thigs: therto, in such as fade, and fall, it teacheth, ordeineth, appointeth, commandeth. Wherupõ y order, course, figure, light, influẽce of sũne, mone,

and

and ferres it obserueth: conceiueth intelligences, aungels, soules, and fourmes immaterial: procedeth frō them, & so mounteth vp to the verie author, and prince of thys worldes vniuersitie: whome it knoweth, and knowledgeth to be one, the beste, the mightiest, the trueste, the moste righteous, and euerlasting. Yet is the selfsame minde by the felowshyp, and companie of the senses, and desyres, many a time called away from that principall office, to consider these vnstable, and mutable things: and somtime to cast in conceite fourmes dissevered from the matter, mathematically: & somtime to view things sensible, that can in no wise be sondered from the materiall substance: as elements, beastes, herbes, trees, metals, stones, and such like: al the which must nedes be sensed, & fortified with ỳ trade of debating douts, and discerning of trouth from vntrouth: which is the art of Logik, the verie rule of reason, and instrument of al discourse.

Now, to speake of the vsing of the bolle man: by the continual tenour, and

and ſtedfaſt rate of bodies celeſtial, and natural, the minde of man learneth order, obedience, and concorde. For like as god gouerneth thinges manyfolde, moueable, and faityng away, being himſelfe but one, vnremoouable, and euer during: ſo reaſon within vs ought to rule rangyng luſts, and raſh motions of the mind, and the other vnworthier, and weaker partes: being it ſelfe ſtedfaſte, ſage, principal, and ſtrongly eſtabliſhed.

In caſe a man loue any one parte of himſelfe to much: or ſew after the end therof by a wrong way, and cleane out of faſhion: he ſhall not leade a life all euen, and ſtreight, but boked, and croked: nor caſie, and quiet, but miſerablie diſtempered. For whoſo be ouermuch enclined to paumpering, and pleaſing of the bital portion: they be al bent to gather good, and holly giuen to gaine. They, that alonely ſerue their ſenſes, and ſett their delite to feele the pleaſures of the ſame: be exceſſiue either in ryotting, and banketing, or in outragious fleſhlye dinges, or in other ſuch

paſſaun-

paſſaunces, as bee ſenſuall. They, which holde them content to leade a life contemplatiue, hauing no regard, ne reſpect to the forenamed parcels: doo proue ſowre, lowring, blockiſh, ruſticall, and farre from all ciuilneſſe of life. Ye, in whom reaſon ioines with the ſenſes, for to do them ſeruice: will enforce himſelf to win worldly glorie, and ſoueraintie.

Yet that can comprise in his thought no large compaſſe, nor depe conſideration: but is faint, feeble, wauering, and ful of infirmitie: will show forth himſelf chieflie with appareling, or with ſome outward bragge, to ſupplie his want within.

To ſuch ſorts of annoyaunce, and diſconuenience, light, and moderation is brought by morall doctrine: the which, Marcus Tullius Cicero, in theſe bokes of duties, profeſſeth. This learning teacheth, ſomuch to graunt the vital part, and the nethereſt: as will be ſuffiſant to preſerue the life in helth, and welfare.

It willeth alſo the feeling portion ſo to take fruition of pleaſures: þ neither it defraude the lower parte of

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the pfits therto appropriat: nor with importune egging annoye ẏ minde, which aspireth vnto veritie of opinions, and vprightnes of maners.

Without mo woordes, it assigneth that for to reigne, which is borne to reigne: & that to be obeysaunt, which is framed for obeysaunce.

Now, when a man is so enstructed with philosophie: that he can full cōueniently liue sole, & at point deuice by him self: he must be brought forth abrode into the face of the worlde: to the intent he may procure, not onely that becomes him self to do, but also the welth of other folke. He must remember the threefolde state, & diuersitie, that he hath espied, & practised in him self: and must transferre the same to the gouernaūce bothe of his housholde priuatly, and of the holle commons openly. So shall the meanest sorte, lyke the vitall parcell in man, bee occupied aboute the moste seruile, and needfull workes: men of middle degree, like the sensiue soule, shall attend to affaires, and sciences more liberall: the nobilitie in the cōmon gouernment, like reason in the

nature of mā, shal rule al the multi-
tude. That thing also doth Tullie
touche in this treatise: and showeth
men in auctoritie their duties, both
in warr, and peas: wherby they may
make themselues, and their subiects
happy, and fortunate.

And not onely them, but al sortes of
men he admonisheth: what thei haue
to do, thoroughout their life: acco-
ding to their age, trade, and estate:
with respect to the circumstances of
times, places, and persons.

In the first booke, he first deuideth
dutie into the perfit, and the meane:
leauing the one (which belongeth to
the end of good: & is in it self right)
to men of perfection: & prosecutyng
ẏ other in certein rules, & precepts:
so that therby euery man may frame
and order his life. Then he leades vs
to the finding oute of duties, by ta-
king aduisement about the choise of
honest things, and refusal of the vn-
honest. Afterward hee sets forthe
ẏ originall causes, and the chief parts
of honestȳ, with their duties, and
properties. At the last, he warneth
vs to discerne ẏ more, or most honest

thing

thyng frō the lesse, or least: & always, in the vse therof, to preferre ỹ greter. In the second, reherſing profitable, & vnprofitable thinges: he ſheweth, how to attein, and to vſe the profitable, & how to eſchew the contrarie: & in the ende makes a compariſon of profits: teaching to preferre the greter before the ſmaller, or the mo before the fewer.

In the thirde, he compareth profit wō honeſtie, & with every part thereof: not as if ther could in deede be contrarietie betweene them, but bes meanes the profit, which ſemeth not honeſt, & the honeſtie, which ſeemeth not profitable: or of eyther of thē the apparant ſhow: and he tels vs, what is to be done, when theſe ſeeme ſo to ſtriue, one with an other: that honeſtie alureth vs one way, and profit calleth vs an other way.

Thus the holle matter is referred, and applied to honeſtie, and profitte, two principall pointes of good: the third (which we call pleaſure, and is placed by the Peripatetikes in the noumber of good thynges) Tullie, like a Stoik, doth but briefely

touche, as a thing impertinent.
But of the other two places, conteyning all the doings of men, Cicero hathe tolde his minde, and left it hē in this boke: euen as fully, as in his lifetime he conceiued it in his hed.
For who euer sawe in so few leaues so much morall doctrine, and politicall, set out with so many conning cases, and feates oratoriall? What a sort of stories be there so notable of themselues, so handsomely applyed, so elegantly tolde? You shall not lightly reade the like, within so litle compasse, in any historian, that of purpose doth nothing els.
How finely, & featly be ỹ poets verses alledged? With what a discretiō ar some auncient writers reproued? With what subtilitie, and finesse of wit be certein cōtrouersies debated? Either of ỹ chief philosophie, or of al humanitie what point is ther lacking? Aristotle artificially hathe written of maners: but, what for the lightsomnesse, & eloquent handelyng of ỹ treatise, what for ỹ latine tong, which we do vse more than ỹ greeke: Tullie is aboue him. Panetiꝰ wrote

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of dutiefull demeanour: but though his worke in some points was Tullies pattern: yet in all points, by all their iugemēts, ẏ euer saw thē both: Tullie is aboue him. Xeno ẏ Stoik wrote of dutie: but seeing dyuers Grekes, who ar Tullies inferiours, wer as good as he: certesse Tullie is aboue him. Possidonius, a Rhodiane, medled with the same matter: but nothing to Tullius. So did Hecato: but nothing to Tullius. And many other mo of later time: but, lord, how farre be they from Tullius? Tullius, in his graue yeres, after he hadde hearde a noumber of learned men: after he had redde the mosse approued authors: after he had endited so many volumes: and his style was woren ripe, his wit sage, his lerning full, his iudgemēt perfit: enterprised to drawe this draught, & made it of such excellence: as we may well wōder at in viewing, & yet not atteine in folowing. Tullius, hauyng done many glorious acts, in a state of gouernment most triumphant, lerned the most part of these lessons by experience. Tullius out of the Greeke

authors, of whome also sonme had been gouernours in florishing empires: translated a great deale. Tullius to Marcus, hys welbeloued sonne, abyding euen at Athenes, among the best Philosophers, was not afraid to sende this parcel of philosophie. No doute as welcõe it was to the lerned Athenãs: as ỳ Greks doings were to the Romanes: or as now adayes, the French, & Italians welframed writings be to those Englishmen, that vnderstande them: yea and so much the more welcome: as it was a rare thing then, to see that kinde of knowlege expressed in pure latine. But in Rome, in Italie, in Europa, in all quarters, where latine speche had place: And, so it was embraced at all times, of all men, in euery degree, order, & estate. Rulers haue here found much witty policie, apperteining to the gouernance of realmes. Housholders, and parẽtes haue pyked out of these bookes vertuous instructiõs for their childern, and their seruauntes. Doctors, and diuines haue here met with moral sentence,

sentence, and ensamples, verie excellent. Ciuill lawyers haue eyed, touching iustice, and equitie, both rules appointed, and cases discussed. Scoolemen haue taken hereheence problemes, and questions, to debate at large: and haue fetched from hence philosophicall conclusions, with reasons, and argumentes to proue, and to disproue. Orators haue been well furnished hereby with sondry graces and ornamentes of speech: and in ỹ like manet of mater, haue marked, how to bestowe their stile. Rhetoriciãs, who for their exercise, do vse declamatiõs: haue taken out of this common places, like large fieldes, where mẽ may walk at libertie. Scoolemaisters neuer wisse of fyner phrases, for to make theyr scholars acquainted with the verye veine of the latine language. At fewe wordes, al men, that of wisedome be studious, may gette sommewhat herein to sharpe the wyt, to store the intelligence, to feede the mynde, to quicken the spirite, to augment ỹ reason, to direct the appetite, to frame the tounge, to fashion the maners:

moreouer to rule, to obei, to dispute, to determine, to teache, to persuade, & to euery needfull purpose in a mās life. Vnlesse the self thing witnesse as much, as I saie, let me not be credited: but in case bothe ỹ boke speake for it self: & to my testimoniall I am able to adioyne princely peres, well beknowne, and well approued: then shall bothe the worthynesse of the worke, & also the weyght of the authoritie winne credit, & assent. Tullies duties when Cesar Augustus had redde ouer, still standing on his feete: as he againe deliuered them to his neuiew, of whō he had thē: Eloquent (quoth he) was this man, eloquent he was in deede: & one, ỹ loued wel his countrie. Tullies duties had Seuerus, the noble emperour, in so greate price, and reputacion: that of all the Romanes bokes, to readethē, he thought him best apaide. Tullies duties haue I knowne good clerks, and well lerned men beare about in their bosōmes: layeng it full neare their hertes, ỹ they woulde haue lodged in their heades: and entirely leuing Tullies heauenly companie,

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which waye so euer they went. Tullies duties did Erasm⁹, the Roterdame, so greatly commende: þ in making mention of them, hee could not choose but breake foorthe into these woordes. What: writeth an ethnike all this to ethnikes: a prophane man, to the prophane: Yet in his preceptes of conuersation, O lorde, what an equitie: what an holinesse: what synceritie: what veritie: How well doth all togither accorde w̄ nature: how is al framed eue̅ by good reason: What a conscience requireth hee of such, as gouern þ state: How plainly sets he before our eies the maruailous, & the amiable beautifulnesse of vertue: How much, how religiously, yea how like a diuine dothe he teache of helping, & releeuing other men: of getting, and maintey̅nyng of loue, and frendship: of the cōtēpt of those vanities: for which the cōmō sorte of Christen folke will eyther do, or suffer, they care not what: Finally, he deemeth them full worthy, & full meete both for schoolemasters in their schooles to reade vnto the youthe: and also for olde men againe

and againe to vse, and to peruse. These richelle, and treasures of wit, and wisedome, as Cicero trãspozted out of Greece into Italie: so haue I fetched from thence, & conueied them into England: and haue caused also Marcus Tullius (more, thã he could do, whẽ he was aliue) to speake English. Marueilous is the matter, flowing the eloquence, rich the store of stuff, & full artificiall the enditing: but how I, in our maner of speache, haue erpzessed the same: the more the booke bee perused, the better it maye chance to appere. None other trãslatiõ in our toũg haue I seen, but one: which is of all men of any learning so well liked: ỏ they repute it, & coũt it as none: yet if ye list to cõpare this somwhat with that nothing: peraduenture this somwhat will seme somwhat the more. Howbeit loke, what rule the Rhetozicia giues in pzecept, to be obserued of an Oratour, in telling of his tale: ỏ it be short, & without ydle wozds: ỏ it be plain, & without derk sense: that it bee pzouable, & without any swarming from the trouthe: the same rule should be vsed

in examining, & iudging of trãslation. For if it be not as brief, as the verie authors text requireth: whatso is added to his perfite stile, shal appere superfluous, & to serue rather to the making of some paraphrase, or commentarie. Therto, if it be vttered wt ynkhorne termes, & not with vsuall wordes: or if it be phrased wt wrasted or farrefetched fourmes of speeche: not fine, but harshe, not easie, but hard, nor natural, but violent it shal seme to be. Then also, in case it yelde not the meaning of the author: but eyther folowing fansie, or misledde by errour, forsakes the true pattern: it cãnot be approued for a faithful, & sure interpretacion: which ought to be takẽ for the greatest praise of all. These points as I haue studied to parfourme: so where I haue not always atteined vnto them: I shal desire you, gentle reader, gẽtly to consider both the excelẽce of the author, who is a perfit oratour: & also ẏ gretnes of the matter, which is profoũd philosophie.

+ the translator
· he
· interpreter

Neuerthelesse, such as be exquisite in both the languages already: may

(and

(& that with some profit, & pleasure) trye, what I haue done, & what they can do, all vnder one: if, layeng my trãslation apart, they wil set the latine before thẽ, & so assay theyr owne deine. Eyther they shall like themselues the better: when they conferre it with my poore workmãship: or els perchañce conne me the more thank, for attempting, folowing, & accõplishing of this enterprise. Be it so, one hathe neither the latine, nor the english eloquẽce: yet, by the benefite of nature, sythe a mã may do much: namely if he therto adioyne vse, & exercise: here is for him occasion bothe to whet his wit, & also to file his toung. For although an English mã hath his mother toung: & can talke apace, as he lerned of his dame: yet is it one thing to tittle tattle, I wot not how, or to chatter like a iay: and an other, to bestowe his woordes wisely, orderly, pleasauntly, & pythiely. Such as haue english meatly well, & but a smattering, or small tast in ỹ latine: which noumber is great, among the scholars of this realme: may hereby fall into such acquayntaunce, and

familiaritie with this moſt excellent latine man: that neither ſhall his deuiſe ſeme hard, nor his arte obſcure, nor his ſtyle ſtraunge. I dare well ſay, if this worke happe into a good ſtudents hand: hee will not think it ynough to runne ouer it once: as we fare with trifles, and toyes: but aduiſedly, and with good leaſure, three, or foure, or fiue times, he will reade it, and reade it, and reade it againe: firſt, by the principall pointes, by the definitions, & the deuiſions: to ſee, what is treated, how farre forthe, in what order, and with what varietie: then, to mark the preceptes, reaſons, concluſions, & commō places: after, vnto the ſayde places to referre all the ſtories, with the verſes poetical: finally, as well in the engliſh, as the latine, to weygh well properties of wordes, faſhions of phraſes, and the ornamentes of both. Moreouer, many clerks haue I knowne, eare this, which could conceiue, & vnderſtande full well: whoſe toung neuertheleſſe in vtteraūce, and vſe of ſpeche, was in a maner maymed: yea and ſome, that could alſo ſpeake latine redyly.

and

and wel fauoredly: who to haue done as much in our language, & to haue handled the same matter, wold haue bē half blāk. What nede mo wordes? I desire, my trauail none otherwise to be taken in worthe: than the diligent peruser shal in effect find frute therof.

Now therfore, good reader, fare you well: and remember, how vnfit (as Aristotle saith) and vnprofitable heares of morall science yong men be: as long as either they folow their youthly affections: or do continue vnskilful, and rude in the dedes, that of duty belong to mans life.

For, all the while, they yeeld themselues to be led away of their madde moodes, if you talke to them of vertues, and of maners, ye doo but sing þ deaffe a song. And how shall they be able to iudge, what is discreetly, rightfully, valiantly, moderately, & worthely done: who neither haue any such quality, nor vnderstand by experience any point of þ same? Yet forasmuch as it must of necessity be knowne, what is vertue, & vice: before a mā can wel, & wisely liue, em-

bracing

bracing the one, and eschewing the other: either to make sound the sicke mind (incase it be mislased, & hath a wil to be relieued) take this doctrine, as a medicine: or els to confirme the holle: that is to mean: incase you haue been well, & honestly trayned vp: more perfitely to perceiue the path of good maners: wherin you may walk with entire delite, and come to ỳ honour of a laudable life. Thus haue I holden you, good reader, wt my homely tale: now will I not borow your pacience any leger: but for your gentlenes, and studious disposition, wil streightway send you from the scholar to the master: and from me to the speech of this diuine orator, and worthy philosopher.

(·:·)

¶ MARCVS Tullius Ciceroes first booke of duties, to Marcus hys sonne.

ALthough you sonne Marke, hauing now a yere heard Cratippus, and ỹ in Athenes, must needes flowe full of rules and lessons of philosophie: because of the passing great excellencie both of your teacher, and of the citie: whereof the one may store you with knowledge, the other with ensamples: yet as my selfe, to myne owne furderaunce, haue euermore ioyned the latine with the greke: and haue done that, not onely in philosophie, but also in the practise of oratorie: I thinke it meete for you to do the same, that alike you may be in the redinesse of bothe the kindes of eloquence. To the which purpose verely, we (as we suppose) haue brought great ayde to our countrimen: that not onely the

¶ MARCVS TVLLY Ciceronis de officijs ad Marcum filium. Li. I.

QVanquã te Marce fili annum iam audiẽtem Cratippum, idq; Athenis, abũdare oportet præceptis, institutisq; philosophiæ, propter summã & doctoris authoritatem, & vrbis: quorum alter te scientia augere potest, altera exemplis: tamen vt ipse ad meam vtilitatem semper cũ græcis latina coniunxi, neque id in philosophia solum, sed etiam in dicendi exercitatione feci: idem tibi censeo faciendum, vt parsis in vtriusq; orationis facultate. Quã quidem ad rem nos (vt videmur) magnum attulimus adiumentum hominibus nostris: vt non modo græcarum

literarum rudes, sed etiam docti aliquantum se arbitrẽtur adeptos & addicendum, & adiudicandum. Quamobrem discès tu quidem à principe huius ætatis philosophorũ: & discès quãdiu voles: tandiu autem velle debebis, quoad te quantum proficias non pœnitebit. Sed tamen nostra legens non multum à Peripateticis dissidentia, quoniam vtriq; & Socratici & Platonici esse volumus, de rebus ipsis vtere tuo iudicio: nihil enim impedio. orationem autem latinam efficies profectò legendis nostris pleniorem. Nec vero arroganter hoc dictum existimari velim: nam philosophã discientiam concedens multis quod est oratoris proprium aptè, distinctè, ornateq; dicere quoniam in eo studio ætatẽ consumpsi, si id mihi assumo,

the ignorant of the greeke tonge, but also the learned recken thẽselues thereby to haue attayned somewhat, bothe to speche eloquent, & also to iudgement. Wherfore you shal learne in dede of the price of philosophers in this age: and you shall learne so long as you will: so lõg perdie ought you to be willing, as it shall not repẽt ye, how much ye profit. But yet reading my bookes, not greatly varyaunt from the Peripatetikes, because we will be both Socratians, & Platonians, of the very matters, vse your owne iudgemẽt: for I nothing let you: but of trouth, by reading my workes you shall make your latin tounge the fuller. For yet I would haue this supposed of a vaũt to be spokẽ. For giuyng place to many in the knowledge of philosophie, if I take vpon me that, which is an orators propertie, aptlye, orderly, & finely to speake: because I haue passed my time in ỹ study, I seeme, after

after a certeine sorte, as in mine owne right, to calenge it. For which cause, I earnestly exhort you, my Cicero: that diligētly you reade not onely my orations, but these bookes also of philosopie, which now wel nie to those haue ecuened themselues in quantitie. For there is a greater force of eloquence in those: but thys euen, and tempered kinde of stile is also to bee regarded. And this truelye I see, hath happened to none of the Greekes, as yet: that one man trauailed in both the kindes: and followed as wel that lawierlie trade of pleding, as this quiet fourme of reasoning: except perchaunce Demetrius Phalereus maye be counted in this nōber: who was a suttle reasoner, no vehement orator: pleasāt yet, so as you may knowe him for Theophrastus scholar. But how much we haue profited in bothe, I referre it to other mennes iugemēt: certes we haue followed both. I think verily

videor id meo iure quodam modo vēdicare. Quamobrē magnopere te hortor mi Cicero: vt non solū orationes meas, sed hos etiam de philosophia libros, qui se iam illis ferè æquarūt, studioſè legas. Vis enim dicēdi maior est in illis: sed hoc quoq; colendum est æquabile, et temperatum orationis genus. Et id quidē nemini græcorum video adhuc cōtigisse, vt idem vtroq; in genere laboraret, sequereturq; et illud forense dicēdi, & hoc quietum disputandi genus. Nisi forte Demetrius Phalerē in hoc numero haberi potest, disputator subtilis, orator parum vehemens: dulcis tamen, vt Theophrasti discipulum possis agnoscere. Nos autem quantum in vtroq; profecerimus, aliorum sit iudicium: vtrunq; certè secuti sumus. Equidem &

Platonē existimo, si genus id forense dicēdi tractare voluisset, grauissimè, et copiosissimè potuisse dicere. Et Demosthenem, si illa quæ à Platone didicerat, tenuisset, et ꝓnunciare voluisset, ornatè, splendideq́; facere potuisse. Eodemq́; modo de Aristotele et Isocrate iudico: quorū vterq́; suo studio delectatus, contempsit alterum. Sed cum statuissem aliquid hoc tēpore ad te scribere, et multa post hac, ab eo exordiri volui maximè, ꝙ et ætati tuæ esset aptissimum, & authoritati meæ grauissimum. Nam cum multa sint in philosophia & grauia et vtilia accuratè, copioseq́ue à philosophis disputata: latissime patere videntur ea, quæ de officijs tradita ab illis præcepta sunt. Nulla enim vitæ pars, neq́; publicis, neq́;

Plato coulde haue spoken very grauelie, & plentifully if he would haue practised ẏ lawlike sort of pleading: & also Demosthenes could haue doone full finelie, and semely: if he had kept still, & wold haue vttered those thinges, which he learned of Plato. And after ẏ same sort I iudge of Aristotle, and Isocrates: eyther of which, delighted with hys owne studie, despised the other.

But when I had determined to write somewhat vnto you at this season, & many thinges hereafter: I was most willing to begin with that, which bothe for your age should be fittest, and for my authoritie the grauest. For wheras many matters in philosophie, both weightie, and profitable, be diligentlie, & plentifully disputed by philosophers, those seeme moste largely to sprede, which of duties by them haue been taught, & prescribed. For no part of mans life, neyther in comon, nor priuate

affayres

affayres, neither in maters abrode, nor at home, neyther if ye doe ought alone, nor if ye contract with an other, may be without dutie: and in regarding therof resteth all honesty of life, & in despising the same, dishonestie. And this no dout is a common mater with al the philosophers. For who is he, which giuing no rules of dutie, dare name himself a philosopher?

But there be sondry doctrines, which in setting forth the endes of good, and bad, doe misturn all dutie. For who in such wise appointeth the soueraun good that it hath nothing adioyned with vertue: and measureth the same by hys cõmodities, and not by honestie: it cõmeth to passe, that this man, if in himselfe he agree, and bee not somtime ouercome with the goodnesse of nature: can vse neither frendshyp, neither iustice, nor liberalitie: & in no wise doutlesse, can he be a manly man, who iudgeth pain the vtterest euill: nor he

priuatis, neq; forensibus, neque domesticis in reb⁹, neq; si tecum agas quid, neq; si cum altero cõtrahas, vacare officio potest. In cóq; colendo sita vitæ est honestas omnis, & in negligẽdo turpitudo. Atque hæc quidem quæstio communis est omnium philosophorũ. Quis enĩ est, qui nullis offici præceptis tradẽdis philosophum se audeat dicere? Sed sunt nõnullæ disciplinæ quæ propositis bonorũ et malorum finibus, officiũ omne peruertunt. Nam qui summum bonum sic instituit, ut nihil habeat cum virtute coniunctum: idq; suis cõmodis, nõ honestate metitur: hic si sibi ipse consentiat, & nõ interdum naturæ bonitate vincatur, neque amicitiam colere possit, nec iustitiã, nec liberalitatẽ. Fortis vero dolorẽ sũmũ malũ iudicãs, aut

temperans, voluptatem summum bonũ statuens, esse certe nullo modo potest. Quæ quãquã ita sint in promptu, vt res disputatione nõ egeat: sunt tamen à nobis alio loco disputata. Hæ disciplinæ igitur, si sibi cõsentaneæ esse velint, de officio nihil q̃ant dicere: neq; vlla officij præcepta firma, stabilia, coniuncta naturæ tradi possũt, nisi aut ab ijs qui solã virtutẽ, aut ab ijs qui maxime honestatẽ ppter se dicant expetendã. Itaq; propria est ea præceptio Stoicorum, et Academicorum et Peripateticorum: quoniam Aristonis, Pyrrhonis, et Herilli iampridè explosa sententia est, qui tamen habercẽt ius suũ disputandi de officio, si rerũ aliquẽ delectũ reliquisset: vt ad officij inuẽtionem aditus esset. Sequimur igitur hoc quidem tempore et in hac quæstione potissimũ Stoicos:

he a temperate man, who counteth pleasure ♀ greatest good. Which points, though they be so apparaunt that ♀ thing needeth no disputacion: yet they be debated by vs in an other place. These doctrines then, if they will in themselues accorde, can say nothing of dutie: neyther of dutie can there be giuen any preceptes, sure, stedfast, and with nature agreable: but by them, who maintaine, that eyther onelie, or chiefly, honesty for it selfe is to be embraced. And therfore the teaching thereof properlie belonges to the Stoikes, and Academikes, and Peripatetiks: because Aristoes, Pirrhoes and Herillus opinion long sins hath been hyst oute of the scholes: who neuertheless should haue their lawful libertie to reason of dutie: if they had left anye choyse of thinges, that to ♀ outfinding of dutie there might haue been an entrie. We will folow therfore at this seasõ, and in this matter, chiefly ♀ Stoikes: not as a

as a translatour: but, as we ar accustomed, we will draw out of their fountains, after our own minde, & iugement as much and in such sort, as shall seme good.

It liketh me then, sithēs all my discourse must be of dutie, to define before, what is dutie: which I meruaile, was ouerscaped of Panetius. For euery teaching of anie matter, that by an orderly trade is taken in hād, must begin the processe at a definition: þ it may be perceiued, what the thing is, whereof the treating goeth.

All the question of dutie is two folde. One kinde there is, that belonges to þ ende of good: an other, that standeth in preceptes, by þ which the trade of life may be fashioned in euery cōdition. Of the former kynde such examples there bee: Whether al duties bee perfite, or no? Whether one dutie be more thā an other? and such, as be of the same sort. But those duties, whereof preceptes be giuē, though they apperteine to

non vt interpretes, sed (vt solemus) è fontibus eorum, iudicio, arbitrioque nostro, quātūm quoq; modo videbitur hauriem⁹. Placet igitur (quoniā disputatio omnis de officio futura est) ante definire quid sit officiū: q̄ à Panætio prætermissū esse miror. Omnis enim, quæ à ratione suscipitur de aliqua re institutio, debet à definitione proficisci: vt intelligatur quid sit de quo disputetur. Omnis de officio duplex est quæstio: vnū genus est, q̄ pertinet ad finem bonorū: alterū, q̄ positū est in præceptis, quibus in omnes partes vsus vitæ confirmari possit. Superioris generis huiusmodi exēpla sunt. Omnia ne officia perfecta sint? nunquid officiū aliud alio maius sit: & quæ sunt generis eiusdem. Quorum autem officiorū præcepta traduntur: ea quanquam pertinent ad

finem bonorũ, tamẽ id minus apparet, quia magis ad institutionẽ vitæ cõmunis spectare videntur: de quibus est nobis his libris explicãdũ. Atque etiã alia diuisio est officij. Nam et mediũ quoddam officium dicitur, & perfectum. Perfectũ officiũ rectum (opinor) vocemus, quod graci κατόρθωμα. Hoc autem commune officium καθῆκον vocãt. Atq; ea sic definiunt: vt rectũ quod sit, id perfectum officium esse definiant. Medium autem officium id esse dicunt quod cur factum sit, ratio probabilis reddi possit. Triplex igitur est, vt Panætio videtur, cõsilii capiendi deliberatio. Nã honestum ne factu sit, an turpe dubitant, id quod in deliberationẽ cadit in quo considerãdo, sæpe animi in cõtrarias sentẽtias

the ende of good, yet ỹ same doth lesse appere, because they seeme rather to belõg to the framing of life, of the which, in these bookes, we haue to opẽ our minde. And also, there is an other diuision of dutie. For there is saide to bee both a certaine meane dutie, and a perfite. I suppose, we may call the perfite, or the right dutie, *Rectum*, which ỹ Greekes do terme κατόρθωμα: & this meane, or common dutie, *Commune*, which they call καθῆκον.

And those they doe thus define: ỹ thesame, which is *Rectum*, they define to be ỹ perfite dutie: that, they say, is the meane dutie, for the which a probable reason may be rendered, why it is done.

A diuisement then in cõsel taking is threefolde, as semeth to Panetius. For first men dout, whether it, ỹ falleth in aduisemẽt, be honest to be done, or dishonest: in weping wherof many times mens mindes are diuersly drawen

drawen into contrarie opinions. Next, they searche, and cast whether it, whereupon they take aduisemēt, auaile or no, to commoditie, and pleasantnesse of life, to riches, and plenty of goodes, to power, and sweet of rule: whereby they may helpe bothe themselues, and theirs: al which aduisemēt falleth into the nature of profit. The third kinde of douting is: when it, that appereth to be profitable, semeth to striue w̄ honestie. For whereas profit dothe seme to draw to her, honestie cōtrariwise, to cal back to her: it commeth to passe, ꝙ the minde in aduising is haled to and fro, & it bringeth a perplexed studie of ymaginatiō. Wheras in dividing, it is a foule fault to leaue out any thing: twoo thinges bee ouerslipped in this diuision. For not only whether ꝙ thing be honest, or dishonest, is vsed to bee aduised vpō: but also two honest things layed before vs, whether is the honester: and likewise twoo pro-

distrahuntur: Tum autem aut inquirunt, aut consultant ad vitæ commoditatem iucunditatemq́, ad facultates rerū, atque copias, ad opes, ad potentiā, quibus et se possint iuuare et suos, conducat id nec ne, de quo deliberāt, quæ deliberatio omnis in rationem vtilitatis cadit. Tertium dubitandi genus est, cū pugnare videtur cū honesto id, quod videtur vtile. Cū enim vtilitas ad se rapere, honestas cōtra reuocare ad se videtur: fit vt distrahatur in deliberādo animus, afferatque anceps cura cogitandi. Hac diuisione (cū præterire aliquid maximum vitium in diuidendo sit) duo prætermissa sunt. Nec enim solum vtrū honestum an turpe sit, deliberari solet: sed etiam duobus propositis honestis vtrū honestius. Itēque duob'

propositis vtilib⁹, vtrũ vtilius. Ita quam ille triplicem putauit esse rationẽ: in quinq; partes distribui debere reperitur. Primũ igitur est de honesto, sed de honesto dupliciter: tũ pari ratione de vtili: pòst de comparatione eorum disserendũ. Principio generi animãtiũ omni est à natura tributũ, vt se, vitam, corpusq́ue tueatur, declinetq́; ea, quæ ei nocitura videantur: omniaq́;, quæ sint ad viuẽdũ necessaria inquirat, et paret, vt pastũ, vt latibula, vt alia eiusdem generis. Commune autem animantiũ omniũ est cõiunctionis appetitus, procreãdi caussa, et cura quædã eorũ, quæ ꝓcreata sũt. Sed inter hominẽ et beluã hòc maxime interest, ꝙ hæc tãtũ quãtũ sensu mouetur ad id solũ ꝙ adest quodq́; præsẽs est se accõmodat, paulũ admodũ sentiens præteritũ, aut futurũ

profitable things set before vs, whether is ẏ more profitable. So ẏ way, which he toke to be but threefolde, is founde mete to bee diuided into fiue partes. First then we haue to trete of honesty but ẏ in two sortes: next, as many waies, of profit: lastly, of ẏ cõparisõ of thẽ both.

From the beginning, to euery kinde of liuing creature it is gyuen by nature, to defend himself, his life, & his body: and auoide those thinges, which may seme likely to be harmefull, and seke, & get all things, ẏ bee necessarie to liue withal: as feeding, as coouerts, as other of the same sorte. The appetite also of cõming together for engẽdrings sake & a certain tendernesse ouer them that be engẽdred, is a comon thing to all liuing creatures. But bitween mã & beaste, thys chiefly is the difference: ẏ a beast, so farre as he is moued by sense, bẽdeth him self, to that onely, which is presẽt, & at hand: verie smallie perceiuing ought past, or to come: but man,

man, who is partaker of reaſō, wherby he ſeeth ſequels beholdeth grondes, & cauſes of things, is not ignorant of their procedings, and as it were their forgoings: cōpareth ſemblances, & with things preſent, ioyneth and knitteth thynges to come: dothe ſoone eſpy the courſe of his holie life, and to the leading thereof purueieth thynges neceſſarie.

And the ſaid nature, thorough the power of reaſon, winneth man to man, to a feliowſhip both in talk, & alſo of life: & engēdreth a certein ſpecial fauour chiefliie to themward, ſ are of them begotten: and ſtirreth vp ſ companies of mē, that they bee willing both to bee aſſembled together, and alſo to bee ſeruſable one to an other: and for thoſe cauſes, that they ſtudie to purueie ſuch things, as may furniſh them for their apparaille, & for ſuſtinācē: not onelie for themſelues, but for their wiues, childrē, & other, whō they holde dere, & ought to defende. Which care ſtureth

Homo autem, quoniam rationis eſt particeps, cōſequentia cernit, principia et cauſas rerum videt, earumque progreſſus, & quaſi anteceſſiones non ignorat: ſimilitudines comparat: rebuſq; præſentibus adiungit, atq; annectit futuras: facile totius vitæ curſum videt, ad eamq; degendam præparat res neceſſarias. Eademq; natura vi rationis hominem conciliat homini, et ad orationis, et ad vitæ ſocietatem. Ingenerat q; in primis præcipiū quēdam amorem in eos, qui procreati ſunt: impellitq;, vt hominum cœtus & celebrari inter ſe, & ſibi obedire velit: ob eaſq; cauſa ſtudeat parare ea, quæ ſuppeditent & ad cultum & ad victum, nec ſibi ſoli, ſed coniugi, liberis, cæteriſque, quos charos habeat, tueriq; debeat. Quæ cura

excitat etiam animos, & maiores ad rem gerẽdam facit. In primisq; hominis est propria veri inquisitio, atque inuestigatio. Itaq; cũ sumus necessarijs negotijs, curisq; vacui, tum aucmus aliquid videre, audire, ac discere. cognitionemq; rerũ, aut occultarũ, aut admirabilium ad bene, beateq; viuẽdũ necessariam ducimus. Ex quo intelligitur, quod verũ, simplex, sincerũq; sit, id esse naturæ hominis aptissimum. Huic veri videndi cupiditati adiuncta est appetitio quæda prãcipatus: vt nemini parere animus bene à natura informatus velit, nisi præcipiẽti, aut docenti, aut vtilitatis causa iustè et legitimè imperãti ex quo animi magnitudo existit, humanarũq; rerũ cõtẽptio. Nec vero illa pua vis naturæ est rationisq;, q; vnũ hoc animal sẽtit quid sit ordo

reth vp also mens spirites, and makes them of more corage to do their busines.

Also searching, & tracing oute of trouthe is chiefly mans propertye. Therfore when we be voide of necessarye cares, & busines, thẽ we couet to see, to heare, & tõ learne somwhat: and we thinke the knowledge of thinges either hidden, or wonderous, very necessary to good and blissefull life. Wherof is gathered, that whatso is true, symple, and pure, is fittest for the nature of man.

There is ioyned to thys loue of espying ỹ trouth, a certein delire of soueraintye: so as a well framed mynde by nature is willing to obey noman, but him, that instructeth, & teacheth: or him, that, for cause of hys weale, iustlie, & lawfullie gouerneth: wherin stãdeth ỹ greatnes of corage, & the cõtẽpt of worldly vanities.

And that truly is no small power of nature & reason, ỹ this creature only perceues what is order: what it is, ỹ becom-

becommeth in dedes, and wordes: & what is measure. And therfore, of those same things which bee discerned by sight, no other creature, perceiueth the beautie, the grace, and the proportiõ of parts. Which forme, nature and reason conueying from the yies to the minde, dothe more inge a beauty, a stedfastnes, & an order in counsells, & dedes fit to bee obserued: & is hedefull, & it do nothing vncomely, or womannishlie: & therto bothe in all thoughts, & dedes, & nothing wantonly either it doo, or imagin. Of which things is forged, and made that honestie, that we seke: which though it bee not anaunced, yet honestly it is: & we truely say, though of no man it be cõmended, is yet cõmendable by nature. You see, sonne Marke, the very fourme doutlesse, and (as it were) the face of honestie: which in case it might be beholden with the yies, woulde stirre vp (as sayth Plato) a maruaylous loue of wildome.

quid deceat, in factis dictisq; qui sit modus. Itaq; eorũ ipsorum, quæ aspectu sentiũtur, nullũ aliud animal pulcritudinem, venustatem, conuenientiam partiũ sentit. Q. nã similitudine natura ratioq; ab oculis ad animũ trãsferẽs, multo etiã magis pulchritudinem, constantiã, ordinẽ in consilijs, factisq; cõscruandũ putat: cauetq; ne quid indecorè, effœminatè ue faciat: tũ in omnibus et opinionibus et factis, nequid libidinosè aut faciat, aut cogitet. Q. uibus exrebus cõflatur, et efficitur, id q̃ primus honestũ, q̃ etiã si obscuritatũ non sit, tamẽ honestũ sit: quodq; vere dicim⁹ etiãsi a nullo laudetur, laudabile esse natura. Formam quidem ipsam Marce fili, et tanquam faciem honesti vides: quæ si oculis cerneretur, mirabiles amores (vt ait Plato) excitaret sapientiæ.

But

Sed omne q̃ honestum est, id quatuor partiũ oritur ex aliqua. Aut enim in perspiciẽtia veri, solertiaq́ versatur: aut in hominũ societate tuẽda, tribuendoq́ quod suũ est cuiq́, et rerũ contractarum fide: aut in animi excelsi, atq́ inuicti magnitudine ac robore: aut in omniũ, que fiunt, quæq́ dicũtur, ordine et modo, in quo inest modestia & tẽperantia. Quæ quatuor quanq̃ inter se colligata, atq́ implicita sunt: tamẽ ex singulis certa officiorũ genera nascũtur: velut ex ea parte, quæ primò descripta est, in qua sapientiã et prudentiam ponim⁹, inest indagatio, atq́ inuentio veri: eiusq́ virtutis hoc munus est ꝓpriũ. Vt enim quisq́ maxime ꝑspicit, quid in re quaq́: verissimum sit, quiq́ et acutissimè et celerrimè potest et videre et explicare rationem, is prudentissimus et sapientissimus rite

But al ꝑ is honest, springeth out of some one of the fowre braunches. For it is occupied eyther in the insight of trouth, and skilfulnesse: or in preseruing ꝑ felowship of men, & giuing euery body his owne, & keping a faithfulnesse in contractes: or in the greatnesse & mightinesse of haute, and vnconquerable corage: or els in the order, & measure of all things, that are done, & sayd, wherein resteth discretion, & tẽperance. Which foure, though they be linked, & tangled together: yet certain seuerall kindes of duties do grow out of euery one of them: as out of ꝑ brauñche, that first was descriued (wherin we place wisdome, & prudence) issues the searching, and trying out of trouth: & this is the very proper worke of that vertue. For whoso thorow seeth moste, what in euery case is truest: & who moste wittily, and redily is able both to see, & gyue the reason: he worthilie is wont to be reputed ꝑ wittiest, & the wisest.

wisest. Wherefore to thys vertue trouth is appointed as the matter, wherupon to worke, and wherein to bee occupied. But to the other three vertues are assigned necessities, to get, and kepe those thinges, whereby the trade of mans life is maintained: to the intent the felowship, and neighbourhod of men be preserued: and the worthinelle, & greatnesse of courage may shine abrode: not onlie in augmenting of substance, and procuring of cõmodities both to him, & his, but also much more in despising of the same.

But order, & stedfastnes, & measure keping, and such like, haue to do in ỹ kinde: wherunto must be ioyned a certein doyng, & not onelye an earnest occupieng of the witte. For appiyeng a certein mean, & order to such thynges as be medled with in mans life, we shall obserue bothe honestie, and comlinesse.

Now of those fowre places, wherunto we haue diuided the nature & strength of ha-

haberi solet. Quocirca huic quasi materia quam tractet, et in qua versetur, subiecta est veritas. Reliquis autem tribus virtutibus necessitates propositæ sunt ad eas res parandas, tuendasq́, quibus actio vitæ continetur: vt & societas hominum, coniunctioq́ue seruetur, et animi excellentia, magnitudoq́, cum in augendis opibus, vtilitatibusq́, et sibi et suis comparãdis, tũ multo magis in his ipsis despiciẽdis eluceat. Ordo autẽ et cõstantia, et moderatio, et ea, quæ sũt his similia versantur in eo genere, ad q̃ adhibẽda est quæda actio, non solum mentis agitatio. His enim rebus, quæ tractãtur in vita, modum quẽdam adhibentes et ordinem honestatem et decus conseruabimus. Ex quatuor autẽ locis in quos honesti natura

vimque diuisimus, primꝰ ille qui in veri cognitione cõsistit maximè naturã attingit humanã. Omnes enim trahimur et ducimur ad cognitionis et sciẽtiæ cupiditatẽ: in qua excellere pulchrũ putamꝰ: labi autẽ, et errare, nescire, et decipi, et malũ, et turpe ducimꝰ. In hoc genere et naturali, et honesto duo vitia vitanda sunt: vnũ ne incognita, pro incognitis habeamꝰ, hisque temerè assẽtiamur, quꝰ vitiũ effugere qui volet (omnes autẽ velle debẽt) adhibebit ad cõsiderandas res, et tẽpus, et diligentiam. Alterũ est vitiũ, quod quidam nimis magnũ studium, multamque operam in res obscuras, atq; difficiles conferunt, easdemq; non necessarias. Quibus vitijs declinatis, quꝰ in rebꝰ honestis et cognitione dignis operæ curæque ponetur, id iure laudabi-

of honestie, that same first, ꝧ consisteth in knowledge of trouth, toucheth mans kind nereſt of all. For we be all drawne, and led to a desyre of knowledge, and science: wherin to passe other, we thinke it a goodlie matter: but to slide, to erre, to be ignorant, to be deceyued, we count it both euill, and dishoneſt. In thys kinde of vertue, which is both naturall: & honeſt, twoo faultes must be auoided: one, ꝧ we take not things, we knowe not, as though we knewe them, & rashlie assẽt to thẽ. Which fault whoso wil eschew (all certes ought to be willing) must employ to ꝧ considering of maters both leasure, & diligence. An other fault there is, ꝧ some bestowe ouer great studie, & to much trauayl, in derke, and difficult thynges, and the same nothyng necessary. Which faultes auoided, whatsoeuer labour, and diligence shall be spent in honeſt thynges, and worthy of knowlege, the same of ryght shall be commended

as

as in Astrologie, we haue herd, what Caius Sulpitius was: in Geometrie, we knew, what Sextus Pompeius coulde doe: many in Logik, mo in the ciuil law: which sciences bee all occupyed in tracyng out the trouthe: with the studye whereof to be drawen from trauailing in matters, it is against dutie. For vertues hole praise consisteth in doyng: from which yet oftentimes there is had a resting whyle, and there be graunted many recourses agayne vnto studie: yea and the musing of the mynde, that neuer ceaseth, may continue vs in the studies of cōtemplacion, euen without our trauaile. But let euery thought, and mouing of the mynde be occupyed eyther in takyng of aduisement about honest matters, and perteyning to the good, and blissful life: or els in studies of science, and knowledge. And thus haue we spoken of the first foūtaine of dutie.

But of the other thre vertues remayning, that kinde

tur vt in astrologia C. Sulpitiū audiuim⁹: in geometria Sextum Pompeium ipsi cognouim⁹: multos in dialecticis, plures in iure ciuili, quæ omnes artes in veri inuestigatione versātur: cuius studio à reb⁹ agēdis abduci cōtra officiū est. Virtutis enī, laus omnis in actione consistit: à qua tamē sæpe fit intermissio, multiq; dantur ad studia reditus: tum agitatio mētis quæ nunquam acquiescit, potest nos in studijs cogitationis etiā sine opera nostra continere. Omnis autem cogitatio, motusqúe animi, aut in consilijs capiendis de rebus honestis, & pertinentibus ad bene, beateqúe viuēdū, aut in studijs scientiæ, cognitionisq; versatur. Ac de primo quidem officij fonte diximus. De tribus autē reliquis latissimè

patet ea ratio, quæ societas hominum inter ipsos, & vitæ quasi communitas continetur. Cuius partes duæ sunt: Iustitia, in qua virtutis splendor est maximus, ex qua boni viri nominantur: & huic coniuncta beneficentia, quam eandem vel benignitatem, vel liberalitatem appellari licet. Sed iustitiæ primum munus est, vt ne cui quis noceat, nisi lacessitus iniuria: deinde vt communibus pro communibus vtatur, priuatis autem vt suis. Sunt autem priuata nulla natura, sed aut vetere occupatione, vt qui quondam in vacua venerunt: aut victoria, vt qui bello potiti sunt: aut lege, pactione, conditione sorte. Ex quo fit, vt ager Arpinas Arpinatium dicatur: Thusculanus,

extendeth fardest: wherein is conteyned the felowshyp of men among them selues and (as it were) the intertayning of mans life.

Whereof there bee twoo partes: Iustice is one, in the whiche is the greatest brightnesse of vertue, wherof good menne beare theyr name: and to this is ioyned bountifulnesse, which same we may terme eyther gentlenes, or liberalitie.

But the principall duetie of iustice is, that no man hurte an other, vnlesse he bee prouoked by wronge: the next, that he vse things common, as common, and thynges priuate, as his owne. Howe be it by nature thynges priuate bee none: but eyther by auncient possession, as of theirs, who in olde time came into waste groundes: or by victorie, as of theirs, who got thynges in warre: or by lawe, couenaunt, condition, or lotte. Whereof it comes to passe, that the grounde Arpinas is counted the Arpinacians: the grounde Tusculane

the

the Tuſculanians. And after this ſort is the poynting out of priuate poſſeſſions. Wheruppon ſeyng there is made a mans owne of euerye one of thoſe thynges, which by nature were common: let euerye one enioy, that to euery one is befalle. Moze than that, yf any mā wyll couet to him ſelfe, he ſhall breake the lawe of mans felowſhyp. But bycauſe (as it is notably written of Plato) we be borne not foz our ſelfes alone: but ſomdeale of our birth our contrey, ſomedeale our parentes, ſomdeale our frends do claime: and (as liketh the Stoikes) what ſo euer is bredde vppon earthe, all to the vſe of manne is created: but man foz mannes owne cauſe is begotten, that they among thē ſelues, one maye helpe an other: herein we bee bounde to folowe nature our leader: and to ſet abzode, that may ſerue foz common commodities, by enterchaunge of duties in geuing, & takyng: and alſo by artes, by trauaile,

Thuſculanorū. Similiſq; eſt priuatarum poſſeſſionū deſcriptio. Ex quo, quia ſuum cuiuſque fit eorum quæ natura fuerant communia, quod cuique obtigit, id quiſque teneat. Eo ſi quis ſibi plus appetet, violabit ius humanæ ſocietatis. Sed quoniam (vt præclare ſcriptum eſt à Platone) non nobis ſolum natiſumus: ortuſque noſtri partem patria vendicat, partem parentes, partem amici: atque (vt placet Stoicis) quæ in terris gignuntur, ad vſum hominum omnia creari, homines autē hominum cauſſa eſſe generatos, vt ipſi inter ſe aliꝝ aliꝝs prodeſſe poſſint: in hoc naturam ducē debemus ſequi, & communes vtilitates in medium afferre mutatione officiorum, dando accipiendoque: tum artibus,

tum opera, tum facultatibus deuincire hominũ inter homines societatem. Fundamentum autẽ iustitiæ est fides, id est dictorum, conuẽtorumq́, constãtia, et veritas. ex quo, quãquam hoc videbitur fortasse cuipiã durius, tamẽ audeamus imitari Stoicos, qui studiosẽ exquirunt vnde verba sint ducta, credamusq́, quia fiat quod dictum est, appellatam fidẽ. Sed iniustitiæ duo genera sũt: vnũ eorum, qui inferũt: alterũ eorũ, qui ab iis, quibus infertur (si possent) nõ propulsant iniuriam. Nam qui iniustè impetũ in quẽpiã facit, aut ira, aut aliqua perturbatione incitatus, is quasi manus violẽter videtur afferre socio: qui autẽ nõ defẽdit, nec obsistit, si potest iniuriæ, tã est in vitio, quam si parentes, aut amicos, aut patriam deserat.

uaile, by ryches, to knit the felowshyppe of man with man.

But faithfulneſſe is the foundaciõ of iuſtice: which is in woꝛd, and couenaunt, a trouth, and ſtedfaſtneſſe. Whereuppon though this ſhal ſeme to ſome perchaũce ouerharde: yet let vs bee bolde to folow the Stoikes: which heedfully ſerche out, from whence woꝛdes bee fetched: and let vs thinke, that it is called faithfulnes, becauſe it is fulfilled, which was faithed.

Contrarywiſe, there bee two kinds of iniuſtice. One of ſuch, as offer it: an other, of thoſe, who, though they be able, do not defend wꝛõg from them, to whom it is offered. Foꝛ who ſo vniuſtly doth make aſſaute vppon any man, eyther ſtirred by choler, oꝛ any paſſion, he ſeemeth as with violence, to kyll his felowe: and who ſo defendeth not, noꝛ withſtãdeth iniurie, if he be able, is as farre in faulte: as if he ſhould foꝛſake his parents, his frendes, oꝛ his contrey.

And

And in deede those iniuries, that are done of purpose to hurt, do oftentimes arise of feare: when he, who intendeth to hurt an other, is afraide that vnlesse he do it to the other, he may hym selfe be touched with some discommoditie.

And for the moste parte many men take occasion to do wrong, of intent to compasse those thinges, that they haue coueted: in whiche kind of vice, couetousnes moste largely sheweth her selfe. Notwithstanding riches be coueted, both for necessary vses of the life, and also to enioy pleasures. But in those, in whō there is a greater corage, couetyng of money hath an eye to power, and ableneſſe of pleasuring: as of late Marcus Crassus denyed anye substāce to be great inough for hym, that in a common weale woulde bee a prince: while he were not able with his reuenue to mayntaine an army. Sumptuous furnitures do also delite, and countenaunce of lyfe, with

Atq; illa quidem iniuria, quæ nocēdi causa de industria inferūtur, sæpe à metu proficiscūtur: cūius qui alteri nocere cogitat, timet ne, nisi id alteri fecerit, ipse aliquo afficiatur incommodo. Maximam autē partem ad iniuriam faciēdā aggrediuntur nōnulli, vt adipiscātur ea quæ concupierunt: in quo vitio latissimè patet auaritia. Expetūtur autem diuitiæ, tū ad vsus vitæ necessarios, tum ad perfruendas voluptates. In quibus autem maior est animus, in his pecuniæ cupiditas spectat ad opes, & ad gratificandi facultatē, vt nuper M. Crassus negabat vllā satis magnā pecuniā esse ei, qui in repub. prīceps vellet esse, cuius fructib⁹ exercitū alere nō posset. delectāt etiā magnifici apparatus, vitæq; cultus, cū

elegãtia et copia. quibus rebus effectum est, vt infinita pecuniæ cupiditas esset. Nec vero rei familiaris ãplificatio nemini nocẽs vituperãda est: sed fugiẽda sæpe iniuria. Maximè autẽ adducũtur plerique, vt eos iustitiæ capiat obliuio, cũ in imperiorũ, honorum gloræue cupiditatẽ inciderint. quod enim apud Ennium. NVLLA SANCTA SOCIETAS. NEC FIDES REGNI EST. Idlatiꝰ patet. Nã quicquid eiusmodi est, ĩ quo nõ possint plures excellere, in eo plerũq; fit tãta cõtentio, vt difficil limũ sit sãctã seruare societatẽ. Declarauit id modo temeritas C. Cæsaris: qui omnia iura diuina & humana peruertit propter eũ, quẽ sibi ipse opinionis errore finxerat principatũ. Est autẽ in hoc genere molestum: q̃ in maximis animis, splẽdidissimisq; ingenijs plerũq; existũt

sinneſſe, and plentie. By which meanes it is come to paſſe, that endleſſe is the deſire of riches.

And truely the enlargement of a manneꝛs pꝛyuate goodes, hurtful to no body, is not to be diſpꝛayſed: but euermoꝛe iniurie is to bee ſhonned. But the moſte parte of menne chiefely bee bꝛought to foꝛgette tuſtice: when they fall into the deſire of rule, honour, oꝛ glorie. Foꝛ that, whiche is in Ennius.

In empire is no godly fellowſhyppe, nor no fayth,

reacheth furder. Foꝛ what ſoeuer is of ſuch ſoꝛt, wherein many can not bee chiefe: therein commonly happeneth ſo greate contencion, that very hard it is to kepe a godly ſocietie. The ſtoꝛme of Caius Ceſar declared that of late: who tourned topſet toꝛuie all the lawes of God, and man, foꝛ that ſouereintyes ſake, which he to him ſelf, by the errour of his owne cõceit, had imagined. And in this kinde, it is a grieffull caſe: that deſires

of honoꝛ,

of honor, rule, power, & glory be cōmonly in the gretest corages, & goodliest wittes. wherfore ẏ more hede must be taken, that we offend nothing in that behalfe.

But there is a greate diuersitie in al iniustice, whether the wrong bee done of any sturre of ẏ mind, which cōmonly is but short, & for a seasō: or els of purpose, & aduisedly. For the harmes be easier, that befall of some soden moode, thā such as be done being deuised, and prepared for. And thus we haue saide inough of doing iniury.

But there are wont to be many causes, why we refuse to defēd an other, & do leaue our dutie. For men be vnwilling to take vpō thē eyther displeasure or trauaile, or charges: or els they be so geuē to negligence, slouthfulnesse, idlenes, priuate studies, or certeyne bisinesse: that they suffer them to be helpeles, whom they ought to saue harmlesse. wherfore we must loke, lest it bee not sufficient, that is spoken of

honoris, imperij, potētiæ, gloriæ cupiditates. Quo magis cauendū est, ne quid in eo genere peccetur. Sed in omni iniustitia permultū interest, vtrū perturbatione aliqua animi, quæ plerūque breuis est, & ad tēpus, an consulto et cogitato fiat iniuria. Leuiora enim sunt ea, quæ repentino aliquo motu accidunt, quam ea, quæ meditata & præparata inferūtur. Ac de inferēda quidem iniuria satis est dictū. Prætermittendæ autem defensionis, deferēdiq; officij plures solēt esse caussæ. Nā aut inimicitias, aut laborē, aut sūptꝰ suscipere nolunt: aut etiā negligentia, pigritia, inertia, aut suis studijs, quibusdamūe occupationibus sic impediuntur. Vt eos quos tutari debeant, desertos esse patiātur. Itaque vidēdum est, ne non satis sit id, quod apud

Platonem est in Philosophos dictum: quòd in veri inuestigatione versentur, quodque ea, quæ plerique vehementer expetunt, de quibus inter se digladiari soleant, contemnant, & pro nihilo ducant, propterea iustos esse, nam dum alterum iustitiæ genus assequuntur in inferendâ, ne cui noceant, iniuriâ, in alterum incidunt, discendi enim studio impediti, quos tueri debent, deserunt, itaque eos ad Rempublicam ne accessuros quidem putat, nisi coactos. Æquius autem erat id voluntate fieri, nam hoc ipsum ita iustum est, quod rectè fit: si est voluntarium. Sunt etiã qui aut studio rei familiaris tuendæ, aut odio quodã hominũ, suũ se negotiũ agere dicant, ne facere cuiquam

Plato touching the Philosophers: that therefore they be iust, bicause they be occuppyed in tracyng out trouth: and bycause they despise, and sette at nought suche thinges, as the moste part of men greedely desire, and among them selues are wõt to be at daggers drawyng for the same. For while they atteyne one kynde of iustice, that they hurte no man with doyng of iniurie, they fall into the other. For being letted with the studie of learnyng, they forsake them, whom they ought to defende And therefore he thinkes, they wolde not enter into the cõmon weale, were they not compelled. But it were more reason, that voluntarily it shoulde be done. For what so is ryghtly doone. the same thereby is iust, if it bee voluntarie. There be also, who eyther for loue of sauyng their substaunce, or a certeyne hatred to men, do say, that they meddle onely with their owne matters: lest they may seeme to do

any

anye body wronge: who, whyle they be voyde of one kynde of iniustice, do runne into the other. For they forsake the felowshyppe of life: bicause they bestow no studie, no labour, nor substance vpon it.

Seing then after the declaring of the twoo kyndes of iniustice, we haue therto ioyned the causes of eyther kynde: and haue sette out those thinges afore, wherein iustice is contayned: we may easely iudge, what is the duetie of euery season, except we fauour our selues to farre. For it is harde to haue a carefulnesse ouer other mēs matters: although that same Chremes in Terence counteth nothynge straunge to hym, of ought that perteynes to man.

Neuertheiesse because we perceiue and feele those thinges more: that do happen to our selues, eyther luckely, or vnfortunately, than such as befall to other: which (as ye wolde say) we beholde a great way of: we iudge otherwyse of them,

videantur iniuriam, qui dū altero iniustitiæ genere vacant, in alterum incurrunt; deserunt enim vitæ societatem: quia nihil conferunt in eā studij, nihil operæ, nihil facultatum. Quoniam igitur duobus generibus iniustitiæ propositis adiunximus causas vtriusque generis, easque res ante cōstituimus, quibus iustitia cōtinetur: facile quod cuiusque tēporis officium sit, poterimꝰ (nisi nosmetipsos valde amabimus) iudicare. Est enim difficilis cura rerū alienarum. quanquā Terentianus ille Chremes humani nihil à se alienū putat. Sed tamen quia magis ea percipimꝰ atque sentimꝰ, quæ nobis ipsis aut prospera, aut aduersa eueniūt, quā illa, quæ cæteris, quæ quasi lōgo interuallo interiecto videmꝰ aliter de illis

ac de nobis iudicam⁹. Quo circa bene præcipiũt, qui vetant quicquam agere, quod dubites æquũ sit, an iniquũ. Æquitas enim lucet ipsa p se: dubitatio autẽ cogitationem significat iniuriæ. Sed incidunt sæpe tẽpora, cũ ea quæ maxime videntur dignæ esse iusto homine, eoq; quẽ virum bonũ dicimus, cõmutantur, fiuntq; contraria: vt non reddere depositũ, etiam ne furioso promissum facere, quæq; pertinẽt ad veritatẽ, et ad fidẽ, ea negare interdum, & non seruare sit iustũ. Referri enim decet ad ea, quæ posui in principio fundamẽta iustitiæ: primũ, vt ne cui noceatur: deinde vt cõmuni vtilitati seruiatur. Ea cum tẽpore cõmutantur, commutatur officiũ: vt non sẽper sit idẽ. Potest enim accidere promissũ aliquod, et cõuẽtũ, vt id effici sit inutile,

then of our selues. Therefore they teache well, that forbidde to do anye thyng, which ye doute, whether it be right or wrong. For the very right shineth of it self: but doubting declares an imagination of wrong.

But often there befal seasons, ỳ those duties, whiche seeme to be most mete for a iust man, and him, whom we call a good man, be changed and become contrarious: so that sometime it is iust not to restore, that is layde to keepe: also, not to performe promes with a mad manne: and to denye those thinges, whiche concerne ones trouth, and honestie. For it is meete, they be referred to those foundacions of iustice: which I layde in the begynnyng: first, that no man be hurt: next, that common profitte be serued. When these bee chaunged by tyme: chaunged is dutie, that it remaines not alwayes alyke. For there may chaunce some promes, and couenant: that may be vnprofitable to be performed,

med, either to him, to whom it is promised: or els to him, that promised it. For (as it is in the fables) if Neptunus hadde not done, that to Theseus he promised: Theseus had not bene bereste of his sone Hippolitus. For of the three bones (as is writte) that was the thirde, which in his fury he asked, for the death of Hippolitus: & whe he had obteined it, he fel into heauy waylinges. Therfore neither those promises are to be fulfilled, which are vnprofitable to the, to whō you made them: nor yf they hurte you more, then they profit him, whom you promised.

It is againste dutie, the greater harme to be rather admitted, tha the lesse: as if you haue appointed your selfe with any man, to come, as his counseller in his matter, that is in hand: & in the meane seasō, your sonne begins to fall sore sicke: let it not be reckened against dutie, not to performe that ye promised: yea & he more should swarue frō dutie, to whō ỹ promis

vel ei cui promissum sit, vel ei qui promiserit. Nam si (vt in fabulis est) Neptunus quod Theseo promiserat, non feciſſet: Theseus filio Hyppolito non esset orbatus, ex tribus enim optatis (vt scribitur) hoc erat tertium, quod de Hyppoliti interitu iratus optauit: quo impetrato in maximos luctus incidit. Nec promissa igitur seruanda sunt ea, quæ sint iis, quibus promiseris, inutilia: nec si plus tibi noceant, quàm illi prosint, cui promiseris. Contra officiū est, maio damnū anteponi minori: vt si constituerit te cuipiam aduocatum in rem presentem esse venturum, atque interim grauiter ægrotare filius cœperit: non sit contra officium, non facere quod dixeris: magisque ille, cui

promissum sit, ab officio discedat, si ipse destitutum queratur. Iam illis promissis non standum esse quis non videt, quæ coactus quis metu, aut deceptus dolo promiserit? Q uæ quidem pleraque iure prætorio liberãtur, non nulla legibus. Existũt etiam sæpe iniuriæ calumnia quadam, & nimis callida, sed malitiosa iuris interpretatione. Ex quo illud, summum ius, summa iniuria, factum est iam trium sermone prouerbium, quo in genere etiam in Repub. multa peccantur: vt ille, qui, cũ centum triginta dierum essent cum hoste pactæ induciæ, noctu populabatur agros, quòd dierũ essent pactæ non noctiũ induciæ. Nec noster quidem probãdus est: si verũ est, Q uintum Fabiũ Labeonẽ, seu quẽ

promis was made, yf he wolde complayne him selfe to be disapointed.

Now who seeth not: that it is not meete to stande to those promises, which a mã hath promysed beyng constrained with feare, or deluded with guile. Whiche thinges, for the most parte, bee discharged by the Prætors court: and many of thẽ, by statutes.

Wronges also oftentimes do rise vpon a certein cauillacion, and ouer craftie, and suttle misconstruing of the lawe, whereuppon that saying, Extreem lawe, extreem wronge, is now made a wel worne prouerbe in communicacion. In whiche kinde many things be don amisse, euen in the common weales matters: as he, who, when the truce was taken with the enemie, for. xxx. dayes, ouerranne his lande in the night: bicause the truce was taken for dayes, and not for nightes. No nor yet our countremã is to be alowed: if it be true, that Quintus Fabius Labeo, or any other man

man (for I haue nothyng, but by heareſay) beyng by the Senate apoynted daieſman to the Nolanes, and Neapolitanes, about the boundes of theyr lande, did commune with either of thē aparte, when he came to the place: that they ſhoulde not do, nor couet any thing gredely: and that rather they wolde ſet backe, than encroche vppon eche other. Which when eyther of them hadde ſo doon: there was a parcel of grounde left in the middes. And ſo he cauſed their boundes to be ſtaked out, euen as they had tolde him: the reſidue, that was in the middes, he adiudged to ỹ people of Rome. This plainely is to deceiue, and not to iudge. wherfore ſuch wylineſſe in euery caſe is to be auoyded.

There be certeine duties alſo to be obſerued euen towarde them, of whom you haue receiued wronge. For in reuenge, & chaſtiſement, there is a meaſure to bee vſed. And I wotte not, whether it be ſufficient for him, that

alium (nihil enim præter auditum habeo) arbitrum Nolanis & Neapolitanis de finibus agri à Senatu datum: cum ad locum veniſſet, cum vtriſque ſeparatim locutum, ne cupide quid agerent, ne quid appeterent, atque vt regredi, quàm progredi mallent. Id cum vtrique feciſſent aliquantum agri in medio relictum eſt. Itaque illorum fines, ſicut ipſi dixerant, terminauit. in medio relictū quod erat, Populo Roma. adiudicauit. Decipere hoc quidē, non iudicare eſt. Q uocirca in omni refugienda eſt talis ſolertia. Sunt autem quædam officia etiā aduerſus eos ſeruanda, à quibus iniuriam acceperis. Eſt enim vlciſcendi & puniendi modus. Atque haud ſcio, an ſatis ſit eum qui

lacessierit iniuriæ suæ pœnitere: vt & ipse nequid tale posit hac cõmittat, & cæteri sint ad iniuriam tardiores. Atque in Repub. maxime cõseruanda sunt iura belli. Nã cum sint duo genera decertãdi: vnũ per disceptationem, alterũ per vim: cumq; illud propriũ sit hominis, hoc beluarum: confugiendũ est ad posterius, si vti nõ licet superiore. Quare suscipienda quidem bella sunt ob eam causam, vt sine iniuria in pace viuatur: parta autẽ victoria, conseruãdi sunt ij, qui nõ crudeles in bello, nec immanes fuerunt: vt maiores nostri Tusculanos, Æquos Volscos, Sabinos, Hernicos in ciuitatẽ etiã acceperunt: at Carthaginẽ & Numãtiam fũditus sustulerũt. Nollem Corinthũ: sed credo illos secutos opportunitatem loci,

that began, to repent him of the wrong: but that he bee ponished, that he cõmit not the like offence againe: and that other also may bee the slower to do wrong.

And the lawe of armes must in any wise be kept, in the cõmon weale. For wher as there be twoo kindes of contẽcion, one by reasoning, an other by violẽce: and the first is the propertie of mã, the second, of beast: we must flee to the latter, if we may not vse the former.

Wherefore to this ende, & purpose we must enter in warre: that without iniurie we may liue in peace: & whẽ the victorie is gotten, they must be saued, who haue not ben cruell, nor vnmercifull in fight: as our auncetors euen into the citie receiued the Tusculanes, the Equianes, the Volscianes, the Sabines, & the Hernikes: but they vtterly razed Cartage, and Numance. Corinth I wolde, they hadde not: but I beleue, they chiefely respected the situacion: lest the very place

might

might encorage them, at any tyme to moue warre.

After my minde certesse, it is meete alwayes to giue counsell to peace, that shal haue in it no fraude, nor guile. Wherein if men had agreed to mee: we shoulde haue hadde, althoughe not the best, yet some common weale, which now is none. And not onely for them ye must prouide, whom by force you haue subdued: but they also, who come in with yelded weapons, vpon affiaunce in the captaine(although the Ramme hath battered the wall) are to be receiued. In whiche poincte, iustice hath been so greatly regarded with our men:that they, who had taken cities to mercye, or nacions conquered in warre, shoulde be theyr patrones, by the custome of our auncetors. And the Justice of warre is moste sincerely described, in the fecial lawe of the people of Rome. Whereby maye bee perceiued, that no warre is iust: but whiche eyther for thinges

maximè ne posset aliquãdo ad bellum faciendum locus ipse adhortari. Mea quidem sentẽtia, paci quæ nihil habitura sit insidiarum, semper est cõsulendum. In quo si mihi obtemperatum esset: & si non optimam, at aliquã Rempu. (quæ nũc nulla est) haberemus. At cum ijs, quos vi deuiceris, cõsulendum est: tũ ij, qui armis positis ad imperatorum fidẽ confugiunt (quamuis murũ aries percusserit) recipiẽdi sunt. In quo tantopere apud nostros iustitia culta est, vt ij, qui ciuitates, aut nationes deuictas bello in fidem recepissẽt: earũ patroni esset more maiorũ. Ac belli quidem æquitas sanctissime faeciali Populi Romani iure perscripta est. Ex quo intelligi potest, nullum bellũ esse iustum, nisi quod aut

rebus repetitis geratur, aut denunciatum ante ſit, et indictum. Pompilius imperator tenebat prouinciã, in cuius exercitu Catonis filius Tiro militabat. Cum autem Pompilio videretur vnã dimittere legionẽ: Catonis quoque filium, qui in eadem legione militabat, dimiſit. Sed cũ amore pugnandi in exercitu remanſiſſet: Cato ad Põpiliũ ſcripſit, vt ſi eũ pateretur in exercitu remanere, ſecũdo eũ obligaret militiæ ſacramento: quia priore amiſſo iure pugnare cũ hoſtibus nõ poterat. Adeò ſumma erat obſeruatio in bello mouendo. Marci quidẽ Catonis ſenis eſt epiſtola ad M. filiũ: in qua ſcripſit ſe audiſſe eum miſſum factũ eſſe à Conſule, cum in Macedonia bello Perſico miles eſſet. Monet igitur, vt caueat, ne

things in claime is moued, or is proclaimed before, and bidden by defiance. Pompilius the Romanes generall kept a prouince: in whose army, Catoes sonne went for a yong souldiour a warfare. And when it lyked Põpilius to discharge one legion: he discharged Catoes sonne also, who serued in that legiõ as a souldiour. But when he, for loue of the warres, remained in the campe still: Cato did write to Pompilius, that yf he wolde suffer him to remaine in the army, he shold swere him souldiour againe: bycause he might not lawfully fight with the enemy, the former othe beeing discharged. So passing gret regard they hadde in makyng their warres. There is a letter abrode, of Marcus Cato, the old man, to Marcus his sonne: wherein he wrote, that he heard, he was discharged by the Consull, being a souldiour in Macedonie, at the Persian warres. He warnes him therfore to beware, that he enter not

the

the battle: for he denieth, that it is lawfull for him, that is no souldier, to fight with the enemie.

And this also I note, that hee, which by his proper name was *Perduellis*, that is to meane, an open enemy, was called *Hostis*: the mildnes of the worde asswaging the hainousnesse of the thig. For he was called *Hostis*, with our aunceters, whō now we name *Pregrinum*, A straunger. That the twelue tables declare, *Aut status dies cum hoste*: and again, *Aduersus hostem eterna auctoritas*. What may there be added to this kinde of gentlenes? to call him by so faire a name with whom you make warre. Notwithstanding processe of time maketh that name now more odious: for it is gone from the significa-tion of *Peregrinus*, ꝑ is to saie a strāger: & properlie it stands for him ꝑ beareth armour against one. But whē ther is fighting for ēpire, &

prælium ineat. Negat enim ius esse, qui miles non sit, pugnare cum hoste. Equidem illud etiam animaduerto, quod qui proprio nomine perduellis esset, is hostis vocaretur, lenitate verbi tristitiam rei mitigante. Hostis enim apud maiores nostros is dicebatur, quem nunc peregrinum dicimus. Indicant. XII. tabulæ.

AVT STATVS DIES CVM HOSTE Itemque, ADVERSVS HOSTEM AETERNA AVTHORITAS. Quid ad hāc mā suetudinem addi potest? eum qui cū bellum geras, tam molli nomine appellare? quā quam id nomen durius iam effecit vetustas, à peregrino enim recessit: et proprie in eo, qui contra ferret arma, remāsit. Cū vero de imperio decertatur, belloq; quæritur

gloria causas omnino subesse, tamen oportet easdem, quas dixi paulo ante iustas causas esse bellorum. Sed ea bella, quibus imperij gloria ꝓposita est minus acerbe gerenda sunt. Vt enim cum ciuiliter contendimus, aliter si est inimicus, aliter si competitor: cum altero certamen honoris, et dignitatis est: cum altero capitis, & famæ. Sic cum Celtiberis, cum Cimbris bellum, vt cũ inimicis gerebatur, vter esset, non vter imperaret. Cũ Latinis, Sabinis, Sannitib⁹, Pœnis, Pirrho, de imperio dimicabatur. Pœni fœdifragi, crudelis Anniball, reliqui iustiores. Pyrrhi quidem de captiuis reddendis illa præclara.

glory is sought by warre: yet it behooueth alwaies, ẏ ẏ very same causes be therin, which I declared a little before to be the iust causes of warre. But those warres ar not so cruellie to be made, which be purposed for the glory of empire. For as, when we striue in the citie, we doo otherwise, if one be our enemie, otherwise, if he be but suter against vs: for with the one ẏ strife is for honour, and dignitie, with the other, for life, and honestie: euen so war was holdẽ with the Celtibers, & with the Cimbers, as with our enemyes, whether shoulde liue, and not whether should rule, but with ẏ Latines, the Sabines, the Sannites, the Penes, and with Pirrhus, the fight was aboute empire, & dominiõ. The Penes were leag breakers, Annibal was cruell, the rest wer iuster men. That is a noble saieng doutlesse of Pyrrhus, aboute the restoring of prisoners.

No gold do I craue,
no price offer me:
No huckſters of warre,
warremen as we bee.
VVith dint for our life,
fight we, not with golde:
VVhether you for to raign,
or me the ladie wolde.
Chaunce trie we by force,
this anſwere eke bare:
VVhoſe manhod the happe
of battel will ſpare.
Their fredome I pur-
poſe to fauour alſo.
Them giue I, them take:
the Goddes will it ſo.

Nec mî aurum poſco:
nec mî pretium dederitis
Nec cauponantes bellum,
ſed belligerantes.
Ferro non auro vitam
cernamus vtriq;, (hera
Vos ne velit, an me regnare
quidúe ferat fors,
Virtute experiamur,
et hoc ſimul accipe dictũ.

A princelie ſaying forſothe, and well beſeeming the lignage of the Æacidans.

Quorum virtuti belli
fortuna pepercit,
Horundem mî libertati
parcere certum eſt.
Dono ducite, doq;, volentib⁹
cum magnis dijs.
Regalis ſanè & digna
Æacidarum genere ſen-
tentia.

Likewiſe if priuate men, driuen by occaſions, ſhall promiſe ought to the enemie, they muſte keepe their promes therin. As Regulus did, that was taken of the Carthaginers in the firſt Punik warres: who,

Atqúe etiam ſiquidſin-
guli temporibus adducti
hoſti promiſerint, eſt in eo
ipſo fides conſeruanda ve-
primo punico bello Regu-
lus captus à Pœnis:

cum de captiuis commutandis Romam missus esset, iurasset q; se redi turum: primū vt venit, captiuos reddēdos in senatu non censuit. Deinde cum retineretur à propinquis et ab amicis, ad supplicium redire maluit, quā fidem hosti datam fallere.

Secundo autem Punico bello, post Cannensem pugnam, quos decem Annibal Romam adstrictos misit iureiurando se redituros esse, nisi de redimendis ijs, qui capti erant, impetrassent: eos omnes, Censores quoad quisque eorum vixit, qui peierassent, in aerarijs relinquerunt: nec minus illum, qui iurisiurandi fraude culpam inuenerat.

Cum enim Annibalis permissu exisset è castris, rediit

when he was sēt to Rome, aboute the enterchanging of prisoners: & had swoꝛne, that he wold returne: firſt, as ſoone as he came, hys aduiſe was in the Senate-houſe, that the priſoners ſhould not be reſtoꝛed, afterward, when he ſhoulde hue been ſtaped of his kinſfolke, and frendes: he was moꝛe willing to retourne to ponniſhement, than to breake his promes giuen to the enemie

And in the ſeconde Punike warres, after Cannas feelde, the Cenſoꝛs ſelled at a perelie fyne all thoſe tenne (as long as anye of them liued, that taried ſtill, and were foꝛſwoꝛne) which Annibali ſent to Rome, vpon their othe, that they ſhould returne: except they obteined the raunſoming of thoſe, that were priſonners there: and no leſſe they ſelled him, which foꝛ ỹ deceiuing of his othe, had deuiſed an excuſe. Foꝛ when by Annibals licence, vpon his othe to returne, he was gone out the campe: he returned

within

within a litle while after, making his excuse, þ he had forgotte, I wot not what. Afterward, being gone out of the cãpe, he thought himselfe discharged of his othe: and in wordes he was, but not in deede. For alwaies in promise must be considered, what ye meane, not what ye saie.

But the greatest example of iustice toward the enemie was showed by our aũceters. When a runawaye traytour from Pyrrhus had promised the Senate, that he wolde giue the king poyson, and kill hym: the Senate, and Caius Fabritius did deliuer the runaway traytour to Pyrrhus. In such sorte, with trecherie, they allowed not the death of theyr enemie: and such a one, as was bothe mightie, and mooued warre vnprouoked. Thus of warrefaring duties ther is inough spoken.

Let vs remember also, that euen toward the basest sorte ther is a iustice to bee kept. The basest degree,

paulò pòst quòd se oblitum nescio quid diceret. Deinde egressus è castris, iureiurãdo se solutum putabat: et erat verbis, re non erat. Sẽper autem in fide, quid senseris, nõ quid dixeris, cogitandum. Maximum autem exemplũ est iustitiæ in hostem à maioribus nostris constitutum. Cùm à Pyrrho perfuga Senatui est pollicitus, se venenum Regi daturum, et cum necaturum: Senatus, et C. Fabius perfugam Pyrrho dedit, Itaque hostis quidem, et potentis, et bellum vltrò inferentis, cum scelere interitum approbauit.

Ac de bellicis quidem officijs satis dictum est. Meminerimus autem etiam aduersus infimos iustitiam esse seruandam. Est autem infima conditio &

fortuna seruorum: quibus non male præcipiunt, qui ita iubent vti, vt mercenarijs, ad operam exigendam, et iusta præbenda. Cum autẽ duobus modis, id est aut vi, aut fraude fiat iniuria: fraus quasi vulpeculæ, vis leonis videtur: vtrunque ab homine alienissimum: sed fraus odio digna maiore.

Totius autẽ iniustitiæ nulla capitalior est, quàm eorum, qui tum cũ maxime fallũt, id tamen agunt, vt viri boni esse videantur. De iustitia satis dictum est. Deinceps, vt erat propositum, de beneficẽtia ac liberalitate dicatur: qua quidem nihil est naturæ hominis accommodatius. Sed habet multas cautiones. Videndum est enim primum, ne obsit benignitas & his ipsis, quibus benigne videbitur fieri,

and state is of slaues: whõe they, that will yet so to vse, as hyred men, in requiring their worke, and giuing them their due, doo teache you not amisse.

But whereas iniuries may be doone two waies ỹ is to say, other by force or by gyle: gyle seemes as of the fox, force as of the lion: bothe in trouthe ar verye vnkitte for man, yet gyle deserueth the greater hatered. But of all iniuries none is more pestilent, than theirs: which when they begyle a man most, yet so handle the matter, that they will seeme to be well meaning men. Of iustice here is said inough,

Let vs now speake, as we purposed, of bountifulnesse, and liberalitie: for nothing without doute is to the nature of man more agreeable.

Notwithstanding it hath diuers exceptions. For first we must see, ỹ our bountifulnesse hurt not both those to whome bountifullie it shall seeme to bee doone,

and

and also other mo: next that our liberalitie be not more, than our abilitie: thirdlie, ẏ to eueryman bee gyuen, according to hys worthynesse. For that is the foundation of iustice, wherto al these muste bee applied. i. For both they, that plesure any body with that, which may hurt hym, whom they woulde seeme willing to profit: ought to be deemed not bouñteous, nor liberall, but pestilēt flatterers: and they likewyse, who do hurt some, that they may be liberall to other, do fall into the same iniustice: as if they should turne other mennes goodes into their owne. But there bee many, and namelie the desirous of honour and glorie: who doo catche from some, that they may lauishe to an other: and these suppose, ẏ they shall seeme bountieful to their frends, if they may enrich thē any maner way. But that is so farre of frō dutie, that nothing may be more contrarious to dutie. We must see therfore, that

et cæteris: deinde ne maior benignitas sit, quàm facultates: tum vt pro dignitate cuiq; tribuatur. Id enim est iustitiæ fundamentum, ad quam hæc omnia sunt referenda. Nam & qui gratificantur cuipiam, quod obsit illi, cui prodesse velle videantur, non benefici, neque liberales, sed perniciosi assētatores iudicandi sunt. Et qui alijs nocent: vt in alios liberales sint, in eadem sunt iniustitia, vt si in suam rem alienā conuertant. Sunt autem multi, equidem cupidi splendoris et gloriæ, qui eripiūt alijs, quod alijs largiātur. Hiq; arbitrātur se beneficos in suos amicos visū iri, si locupletent eos quacunq; ratione. Id autem tantum abest ab officio, vt nihil magis officio possit esse contrarium. Videndū est igitur, vt

ea liberalitate vtamur, quæ prosit amicis, noceat nemini. Quare L. Sylle, & C. Cæsaris pecuniarum translatio à iustis dominis ad alienos, non debet liberalis videri. Nihil est enim liberale, quod non idem sit iustum. Alter locus erat cautionis, ne benignitas maior esset quam facultates: quod qui benigniores esse volunt, quam res patitur, primùm in eo peccant, quòd iniuriosi sunt in proximos. Quas enim copias his et suppeditari æquum est, et relinqui, eas trãsferũt ad alienos. Inest autem in tali liberalitate cupiditas rapiẽdi plerũq; et auferendi per iniuriã, vt ad largiẽdũ suppetãt copiæ, videre etiã licet pleroſque non tam natura liberales, quàm quadã gloria inductos, vt benefici videantur facere multa:

wee vſe ſuch liberalitie, as may profit our frends, and hinder nobody. Wherefore Lucius Sillaes, & Caius Ceſars cõueyeng of goods from the iuſte owners to ſtraungers muſte not bee thought liberality. For nothing is liberal, which ſame is not iuſt.

The ſecond point of exception was, that our liberalitie ſhoulde not be more than our abilitie: becauſe whoſo will be lauiſher, thã their goods will beare: they chiefly offende in this, that they be iniurious vnto their next kinne. For they conuey thoſe ſame riches to ſtreme folke: which it were more reaſon bothe to bee deit, and left to theire kinſfolke.

And ther is in ſuch liberalitie a greedineſſe oftentimes of catching, and pulling away with iniurie, ther may bee more to laſhe oute. A man may ſee ſome alſo doo much, not by nature ſo liberall, as leddy wyth a certein glorye, that they may ſeeme bountifull:

which

which thynges may bee thought to come rather of a bragge thā of a free hart. Such a faise faining is a nearer neibour to vanitie, than eyther to liberality, or to honestie.

The thirde restraint, we spake of, is that in liberalitie there be a choice, of worthynesse. Wherein ar to bee consydered bothe hys maners, vpon whome the benefite shall be bestowed, and also hys good wyll towarde vs: and the entertayning and felowshyp of life, & frendlie turns doone before to our commodities: all which be wishefull to meete together: if not, the moe causes, and the greater shall haue in them the more weight.

Howebeit because wee leade not our life with perfite mē, and thorowly wise: but wyth such, as in whom it is a goodlie matter, if there bee resemblaunces of vertue: I reckon thys also meete to be cōsydered, that wee despise no manner man, in whome any spyne of

quæ proficiſci ab oſtentatione magis quàm à voluntate videtur. Talis autem ſimulatio vanitati eſt coniunctior, quam aut liberalitati, aut honeſtati. Tertium eſt propoſitum, vt in beneficētia delectus eſſet dignitatis: in quo et mores eius erunt ſpectandi, in quem beneficium conferetur: & animus erga nos, & communitas, & ſocietas vitæ, & ad noſtras vtilitates officia ante collata. Quæ vt concurrāt omnia, optabile eſt. ſi minus, plures cauſſe maioreſque ponderis plus habebunt. Quoniam autem viuitur non cum perfectis hominib⁹, pleneq; ſapiētibus: ſed cum iis, in quibus, præclarè agitur ſi ſint ſimulachra virtutis: etiam hoc intelligendum puto, neminē omnino eſſe negligēdū, in quo aliqua ſignificatio

virtutis appareat. Colēdum autē esse ita quenquā maximè, vt quisque maximè his virtutibus lenioribus erit ornatus modestia, temperantia, ac ipsa, de qua iam multa dicta sunt, iustitia. Nam fortis animus & magnus in homine non perfecto, nec sapiente, feruentior plerunq́; est: illæ virtutes bonum virū vidētur potius attingere. Atque hæc in moribus. De beneuolentia autem, quam quisque habeat erga nos, primum illud est in officio, vt ei plurimum tribuamus, à quo plurimum diligimur. Sed beneuolentiam non adolescentulorum more, ardore quodam amoris, sed stabilitate potius & constantia iudicemus. Sin erunt merita, vt non ineunda, sed referēda sit gratia maior quædā

of vertue doth appere: and speciallie, that euery man so be regarded, as echeman chiefly shal be garnished & these gentler kinds of vertues, sober moode, temperāce, and this same iustice, whereof alredie much hath been spoken. For a manlie corage, and a great is commonlie somewhat to feruent in a manne, that wantes of perfection, and wysedome: but those other vertues seeme rather to pertein to a good man. Thus much in maners may be cōsidered.

But concerning loue, ẏ any man beareth towarde vs, this is the chiefe point of dutie: that we giue most to hym, of whome wee ar most beloued. But we must measure good will, not after the gise of yong men, by a certein heate of loue: but rather by assurednesse, and stedfastnesse.

But in case a mannes deseruing be such, that wee haue not to seeke to creepe in fauour, but to requite hys kindenesse: a certeine greater

greater care is then to bee vsed. For there is no dutie more necessarie, thā requiting of kindenesse. And if Hesiodus willes ye, ye larger measure (if ye may) to restore such thinges, as ye haue borowed to occupie: what then ought we to do, prouoked by benefites? Must we not doo like the frutefull feeldes, that yelde much more, than they receiued? For if we stick not to bestow pleasures vpon thē, who, we hope, will profit vs hereafter: what maner men ought we to bee toward them, that haue doon vs good already? For whereas ther be two kinds of liberalitie: one of doing a benefite, an other of requiting: whether we will doo it or no, is in our own choise: but to leaue ought vnrequited, is not lawfull for a good man: so he may doo it without iniurie. But there be respectes to bee had of benefites receiued: and there is no doute, but most is due to the greatest.

Wherin

cura adhibenda est. Nullum enim officiū referenda gratia magis necessarium est. Quod si ea q̄ acceperis vtē da maiore mensura (si moda possis) iubet reddere Hesiodus: quid nam beneficio prouocati facere debemus? An non imitari agros fertiles, qui multo plus afferunt, quā acceperūt? Et enim si in eos, quos speramus nobis profuturos, non dubitamus officia conferre: quales in eos esse debemus, qui iam profuerunt? Nam cū duo genera liberalitatis sint, vnum dādi beneficij, alterum reddēdi, demus nēc ne in nostra potestate est: non reddere, bono viro non licet modò id facere possit sine iniuria. Acceptorum autē beneficiorum sunt delectus habendi. Nec dubiū, quin maximo cuiq; plurimum debeatur.

In quo tamen in primis quo quisq; animo, studio, beneuolentia fecerit, ponderandum est. Multi enim multa faciũt temeritate quadam sine iudicio, vel modo in omnes: vel repentino quodam quasi vẽto, impetu animi incitati: quæ beneficia æque magna non sunt habenda, atq; ea, quæ iudicio, cõsiderate, cõstanterq; delata sunt. Sed in collocando beneficio, et in referenda gratia, si cætera paria sint, hoc maximè officij est, vt quisq; maximè opis indigeat, ita ei potissimum opitulari. Quod contrà fit à pleriscq;. A quo enim plurimũ sperant, etiãsi ille his non eget, tamen ei potissimũ inseruiunt. Optime autem societas hominum, coniunctioq; seruabitur, si vt quisq; erit coniunctissimus, ita in eum benignitatis plurimum

Wherein specially yet is to be weied of what minde, affection, and good will, a mã hath done it. For many men doo many thynges of a certein heddinesse, wythoute discretion, or measure, towarde euerie man: or eis wyth a certein sodein braide of minde caried, as wyth the wynde: whych benefites ar not to be cõsited alike great, as those, that be offered with iudgement aduisedly, and constantly. But in placing of benefite, & requiting kindnesse (if all other thinges be correspondent) thys is a principall point of dutie: þ as euery mã most nedeth help, so hym most of all we ayde. Whych contrarywise is done of a great meanie for of whome they hope moste, although he hath no neede of them, yet to hym they ar moste seruisable.

But the felowship, and neyhourhode of men shall best be mainteined: if as euery mã shal be nerest vs, so on hym wee bestow most

libera-

liberalitie.

But what be natures principles of neibourhod, and the felowship of man, I think good to fetch somwhat farder of.

For the firste is that, which is to see in ꝑ felowship of all mankinde. The bond wherof is reason, and speache: which by teaching, learning, conferring, reasoning, and iudging, winneth one man to an other, & ioineth them in a certeine natural felowship. For by any thing furder we differ from the nature of sauage beastes: in whom we say ofttentimes ther is an hardinesse: as in horses, & lions: but we neuer say: they haue iustice, equitie, and goodnesse: for they be voide of reason, and of speeche. And surely this is the felowship that spreadeth most largely with men among thẽselues, and with all among all: in the which ther must be kept a cõmonnesse of al thinges, that nature hath bredde to the common vse of man: so as the thinges, which be appointed

conferetur. Sed quæ naturæ principia sint communitatis et societatis humanæ, repetendum altius videtur. Est enim primum q̃ cernitur in vniuersi generis humani societate. Eius autem vinculũ est ratio, et oratio, quæ docẽdo, discendo, communicando, disceptando, iudicando conciliat inter se homines, coniungitq́ naturali quadã societate. Neq; vlla re longiꝰ abſumus à natura ferarũ, in quibus inesse fortitudinem sæpe dicimus, vt in equis, in leombus: iustitiã, æquitatẽ, bonitatẽ nõ dicimꝰ: sũt enim rationis, et orationis expertes. Ac latissimè quidẽ patens hominibus inter ipsos, omnibꝰ inter omnes societas hæc est: in qua omniũ rerũ, quas ad cõmunẽ vsũ hominũ natura genuit, est seruanda cõmunitas: vt q̃ descripta sũt

legibus, & iure ciuili, hæc ita teneãtur, vt sit cõstitutũ. E quibus ipsis cætera sic obseruẽtur, vt in græcorũ prouerbio est. AMICORVM ESSE COMMVNIA OMNIA. Omni autem cõmunia hominum videntur ea, quæ sunt generis eiusdẽ, quæ ab Ennio posita in vna re, transferri in multas potest.

Homo, qui erranti comiter
monstrat viam:
Quasi lumen de suo lumine accendat, facit,
Vt nihilominus ipsi luceat cum illi accenderit.

Vna enim ex re satis præcipitur, vt quicquid sine detrimẽto possit cõmodari, id tribuatur cuiq;, vel ignoto. Ex quo sunt illa cõmunia, non prohibere aquam profluentẽ: pati ab igne ignem capere.

appointed by statutes, and the ciuil law, bee obserued in such sort, as it is ordeined: beside which, all other thinges are so to be obserued, as is in ỹ Greeke prouerb: Emong frendes all thigs be comõ. But al those thynges seeme common to al men, which be of ỹ kind, as, being put for exãple by Ennius in one thing, may be applied to many. (way

The mã, ỹ gētle showes ỹ vnto ỹ wandering wight.
Doth, as if he a cãdle shold
at his own candle light.
That nathele it light hiself
when lighted is the other.

For ynough is taught vs by one example: that whatsoeuer we may lende without hinderaunce, it be graunted to euerye bodie, yea to the vnknowne. Wheruppon these thynges be common: Not to forbidde one the running water: To suffer one that wil, to take fire at our fire:

To

To gyue faithfull counsell to hym that asketh aduise: whych thynges be profitable to those, that receiue them, and nothing burdenous to the giuer. wherefore we must both vse these thynges, and somewhat alwaies muste we doo to furder the common profite. But sithe eche priuate mannes substance is small, and the multitude is endelesse, that nede it: common liberalite muste be referred to that end of Ennius: *That natheleſſe it light himself:* So as there may bee an abilitie, wherwyth wee may bee liberall to our owne.

Ther be mo degrees yet of the felowshyp of menne. For, to leaue that endlesse nomber, there is a nier degree to bee of one countrie, of one nation, of one language, by the whych, mē be chiefly knit togither.

I nerer also it is, to be of one citie. For ther be many thynges comon to citizens among

Siquis velit consilium fidele deliberanti dare: quæ sunt ijs vtilia, qui accipiunt, danti non molesta.

Quare & ijs vtendum est, & semper aliquid ad communem vtilitatem afferendum. Sed quoniam copiæ paruæ singulorum sunt: eorum autem, qui his egeant, infinita est multitudo, vulgaris liberalitas referenda est ad illum. Enny finem, nihilominus vt ipsi luceat. Vt facultas sit, qua in nostros simus liberales.

Gradus autem plures sunt societatis hominum. Vt enim ab illa discedatur infinitate, propior est eiusdem gentis, nationis, linguæ, qua maxime homines coniunguntur. Interius etiam est eiusdem esse ciuitatis. Multa enim sunt ciuibus

inter se communia, forum, fana, porticus, viæ, leges, iura, iudicia, suffragia, cõsuetudines præterea, et familiaritates, multaq; cũ multis res rationesq; contractæ. Arctior vero colligatio est societatis propinquorũ. Ab illa enim immensa societate humani generis, in exiguũ, angustumque concluditur. Nam cũ sit hoc natura cõmune omnium animantiũ, vt habeant libidinem procreandi: primo societas in ipso est coniugio: proxima in liberis: deinde vna domꝰ, communia omnia. Id autem est principiũ vrbis, & quasi seminariũ Reip. Sequuntur fratrum coniunctiones, post consobrinorum, sobrinorumque: qui cum vna domo iam capi non possint, in alias domos tanquam in colonias exeunt.

amonge them selues: as lawcourtes, churches, galerey walkes, hye ways, statutes, lawes, iudgementes, voyces, customes: and besides these, familiarities, and hauing to doo in sondrie matters, and bargains with sondrie folke:

But a faster knitting of men togither is the felowship of kinsfolke. For out of ỹ innumerable felowship of mankind, it is driuen to a little, and a narowe compasse. For whereas by nature this is common to all liuing creatures, to haue a lust to engendering: the firste felowship is in verie wedlock: the next in children: and after that, one house, and all thinges common. And thys is the ozygynal of a citie & as it were the seedplotte of a cõmonweale. Thẽ folow the kinreds of brethern after, of brothers & sisters children, who, when they now cãnot be contained in one house, get thẽ abrode to other houses, as unto new townes.

Then

Then folowe entermariages, and affinities, of which also no kinsfolke do arise. Which multiplication, and succession is the roote of common weales. Surely the matchyng of bloodes, and good wyll that ryseth thereof, knitteth menne in loue together. For it is a greate matter to haue the like monumentes of auncetors, to vse all one religion, and to haue the same buriall places.

But of all felowshippes there is none better, none more assured, than when good men alike in condicions bee enfelowshipt in familiaritie together. For that honestie (whiche we haue often mencioned) although we se it in an other, yet it moueth vs & maketh vs frendes to him in whom the same seemeth to dwell. And though all vertue allureth vs to her, and causeth vs to loue thē, in whō she seemeth to harber: yet iustice, and liberalitie worketh that moste of all. But there is nothyng, that wineth

D.i.

Sequuntur connubia, & affinitates: ex quibus etiam plures propinqui. Quæ propagatio & soboles origo est rerū publicarum, sanguinis autem coniunctio, et beneuolentia deuincit charitate homines. Magnum est enim eadem habere monumenta maiorum, eisdem vti sacris: sepulchra habere communia. Sed omnium societatū nulla præstantior est, nulla firmior, quàm cū viri boni moribus similes familiaritate coniuncti sunt. Illud enim honestum (quod sæpe dixim°) etiamsi in alio cernimus, tamen nos mouet, atq; illi, in quo id inesse videtur, amicos facit. Et quāquā omnis virtus nos ad se allicit, facitq;, vt eos diligamus, in quibus ipsa inesse videatur: tamen iustitia, & liberalitas id maximè efficit. Nihil autem

amabilius, nec copulatius, quàm morum similitudo bonorum. In quibus enim eadem studia sunt, eadem voluntates: in his fit, vt æquè quisq; altero delectetur, ac se ipso: efficiturq; id quod Pithagoras vult in amicitia, vt vnus fiat ex pluribus. Magna etiam illa communitas est societatum, quæ cõficitur ex beneficijs vltro citroq; datis, acceptisq;. Quæ mutua et grata dum sunt, inter quos ea sunt, firma deuinciuntur societate. Sed cum omnia ratione, animoq; lustraueris, omnium societatum nulla est gratior, nulla charior, quam ea, quæ cum republica est vnicuiquæ nostrum. Chari sunt parentes, chari liberi, propinqui, familiares: sed omnes omnium charitates patria vna

neth more loue, nor surelier knitteth men togither, than a likenesse in good condicions. For in whom be like desires, and lyke myndes: it happeneth amonge them, that eyther with other is as much delited, as with hym selfe: and it is brought to passe, that Pythagoras requires in amitie, that many become one.

That common felowship also is greate, which groweth of benefites to and fro, geuen, and taken. Whiche whyle they be commõ from one to an other, and pleasurefull: they among whom those happen, bee tyed in a fast felowship.

But when ye haue perused all these thinges in your reason, and mynde: of all felowshippes there is none more acceptable, nor dearer, than the same, which euery one of vs hath with the common weale. Here be our parentes, here bee our chyldren, here be our kinsfolke, and familiers: but our countrey conteynes in it alone all the

dere

dere loue of them all: for the which, what good man doutes to take his death, if he maye profyte the same? Wherby their beastly cruelte is the more to be abhorred: who haue rent asoder their countrey with all maner of mischefe: and both be & haue been occupied in the vtter ouerthrowing therof.

But if question, or comparison be made, to whom the greatest dutie ought to be yelded: our countrey, & parentes bee the chiefe, by whose benefits we are most bounde: our children, and all our hole familye bee the next: which hang all vpon vs alone, and cā haue none other refuge: then bee our kinsefolke, that agree well with vs: which commonly stande in the like estate. Wherefore the necessarye aides of life be due to them chiefely, whom I spake of before: but conuersacion and commonnesse of table, counseylynges, communications, exhortacions, comfortynges, yea

complexa est: pro qua quis bonus dubitet mortem oppetere, si ei sit profuturus? Quo est detestabilior istorum immanitas, qui lacerarunt omni scelere patriam, et in ea funditus delenda occupati et sunt, et fuerunt. Sed si contentio quædam, et comparatio fiat, quibus plurimum tribuendum sit officij: principes sint, patria, et parentes, quorum beneficijs maximis obligati sumus: proximi liberi, totaq; domus, quæ spectat in nos solos, neq; aliud vllum potest habere profugiū. Deinceps bene cōuenientes propinqui quibuscum communis etiam fortuna plerunq; est. Quàmobrē necessaria vitæ præsidia debentur ijs maxime, quos ante dixi. Vita autē victusq; cōmunis cōsilia, sermones, cohortatiōes, cōsolatiōes interdū etiā

obiurgationes, in amicitijs vigẽt maximè, estq; ea rucũ dissima amicitia, quã similitudo morũ coniunxit. Sed in his omnibus officijs tribuendis, videndum erit quid cuiq; maximè necesse sit: et quid quisq; nobiscum, vel sine nobis, aut possit consequi, aut non possit. Itaq; non ijdẽ erunt necessitudinũ gradus, qui & temporum. Sunt quædam officia, quæ alijs magis, quàm alijs debeantur: vt vicinum citius adiuueris in fructibus percipiendis, quã aut fratrem, aut familiarẽ. At si lis in iudicio sit, propinquum potius & amicum, quàm vicinum defenderis. Hæc igitur & talia circunspicienda sunt in omni officio: et consuetudo, exercitatioq; capiẽda, vt boni rationi natores officiorũ esse possimꝰ et addẽdo, deducẽdoq; videre

and chydynges otherwhile amonge frendes bee moste vsed: and that is the pleasauntest frendshippe, which likenesse of condicions hath yoked in one.

But in doing al these duties, we must marke, what is moste nedefull for euery man: and what euery bodye is able, or vnable by vs, or without vs, to atteyne. So the degrees of frendshippes shall not bee alyke with the degrees of times: and ther bee duties, which ar due to some, more than to other some: as you shal sooner helpe your neybour in vnting his corne, than eyther your brother, or your familier frende: but if there bee a trauers in lawe: you shall rather defende your kinsman, and frende, than your neyghbour. These therefore, and such like must bee thorowly considered in euery dutie: and we must so vse, and practyse our selues, that we may be good countmakers of duties: and see by addyng, and deducting, what

what summe riseth of the rest: whereupon we maye vnderstand, howe much is due to euery man. But as neyther physicians, nor captaines, nor oratours, although they haue conteyned the rules of their science, can atteyne any thing worthy great praise, without vse, and practise: so those rules of keeping dutie are in deede taught vs, that we our selues shoulde put them in vre: but the hardenesse of the matter also requireth vse, and exercise.

And howe honestie, from which dutie springeth, is fetched out of those things that bee within the lawe of mans felowshiy: we haue in a maner saide inough.

But we must note, that, whereas there be fowre generall kyndes of vertues pointed out, from the which honestie, and dutie shoulde flowe: that seemes to shine brightest: which is wrought with a great, and lofty courage, despising worldly vanities. And therefore in re-

quæ reliqui summa fiat: ex quo quantum cuiq; debeatur, intelligas. Sed vt nec medici, nec imperatores, nec oratores, quamuis artis præcepta perceperint, quicquam magna laude dignũ sine vsu, & exercitatione consequi possunt: sic officij conseruandi præcepta traduntur, illa quidem vt faciamus ipsi: sed vera magnitudo vsum quoq; exercitationemq; desiderat. A tq; ab iis rebus, quæ sunt in iure societatis humanæ, quemadmodum ducatur honestum, ex quo ortum est officium, satis ferè diximus. Intelligendum est autem cum proposita sint genera quatuor, e quibus honestas, officiumq; manaret, splendidissimũ videri, quod animo magno, elatoq;, humanasq; res despicienti factũ sit. Itaq; in

probris maximè in promptu est, si quid tale dici potest.

Vos etenim iuuenes
animos geritis muliebres:
Illaq; virgo viri.
& si quid est eiusmodi.
Salmacida spolia
sine sudore & sanguine.

Contraq; in laudibus, quæ magno animo & fortiter excellenterq; gesta sunt, ea nescio quomodo quasi pleniore ore laudamus. Hinc rhetorum campus de Marathone, Salamine, Plataeis, Thermopylis, Leuctris, Stratocle: hinc noster Cocles, hinc Decij, hinc Cn. & P. Scipiones, hinc M. Marcellus, et innumerabiles alij: maximeq; ipse popul⁹ Roma. animi magnitudine excellit. Declaratur autem studiũ bellicæ gloriæ,

proch it is commonly redy, if any suche thing may bee sayde, as this:

You yongmen iwis
cary womens hertes.
That virgin, a mannes.

Likewyse if ought be lyke to this:

A goodly great spoile,
at Salmacis wonne:
without any blood,
or swette was it donne.

And on the other side, in praises, those deedes, that be done manfully, notably, and with greate corage, I wot not how as with open mouth we commend Hereof came the rhetoricians large field vpon Marathõ, Salamis, Plateiãs, Thermopylanes, Leuctriãs, and Stratocles: hereof our Cocles, hereof the Decians, hereof Cneus, & Publius the Scipioes, hereof Marcus Marcellus, & other innumerable, and specially the people of Rome did excede in greatnesse of corage. And theyr desire of martiall glorie is declared:

in

in that we see their images of honour be set vp, for the most part, in warlyke aray.

But if that hawtinesse of corage which is seene in perels, and trauailes, be voide of Iustice, and doth not fight for a common safetie, but for a priuate profite: it is to bee reckened faultie. For that not onely is not the propertie of vertue, but rather of brutishnesse, setting all humanitie aside. Therefore manlynesse is wel defined of the Stoikes where they say, it is a vertue, that fighteth in defens of equitie. Wherefore no man, that hath attayned the glorie of mãlinesse, euer got praise by wyly traynes, and craftynesse. For nothing may be honest, that is voide of iustice. A worthy sayeng therfore is that of Platoes who saith.

That not onely the knowledge, whiche is seuered frõ iustice, is rather to be called subteltie, than wysedome: but also the corage,

D.iiij. *which*

quòd statuas quoq; videmus ornatu ferè militari. Sed ea animi elatio, quæ cernitur in periculis & laboribus si iustitia vacat, pugnatq; nõ pro salute communi, sed pro suis commodis, in vitio est. Non modo enim id virtutis non est: sed potius immanitatis omnem humanitatem repellentis. Itaq; probè definitur à Stoicis fortitudo, cum eam virtutem esse dicunt propugnantem pro æquitate. Quocirca nemo qui fortitudinis gloriam consecutus est, insidijs & malitia laudẽ est adeptus. Nihil enim honestum esse potest, quod iustitia vacat. Præclarum igitur Platonis illud. Non solũ, inquit, scientia, quæ est remota ab iustitia, calliditas potius quàm sapientia est appellanda: verùm etiam animus

paratus ad periculũ, si sua cupiditate, non vtilitate cõmuni impellitur, audaciæ potius nomen habeat, quàm fortitudinis. Itaque viros fortes & magnanimos, eosdem bonos et simplices, veritatis amicos, minimeque fallaces esse volumus: quæ sunt ex media laude iustitiæ. Sed illud odiosum est, quòd in hac elatione et magnitudine animi facillime pertinacia, et nimia cupiditas principatus innascitur. Vt enim apud Platonẽ est, omnem morem Lacedemoniorũ inflammatum esse cupiditate vincendi: sic vt quisque animi magnitudine maximè excellit, ita maximè vult princeps omnium, vel potius solus esse. Difficile autẽ est, cũ præstare omnib' cõcupieris, seruare æquitatẽ quæ

which is forward to daunger, if it be sette on for ones owne gredinesse, and not for a comen profit: may rather beare the name of lewd hardinesse, than of manlinesse.

Wherfore who be manly men, and stoutharted: those same we woulde haue also be good, and plaine, louers of trouth, and nothing at al deceitfull: which come out of the middest of al the praises of iustice.

But this is odious, that in such hawtnesse, & greatnesse of corage, there groweth a wilfulnesse very sone, and an ouerseking of rule. For as it is in Plato, *that it was all the maner of the Lacedemonians, to bee enflamed with desire of conquering:* so as euery man doth moost excell other in greatnesse of corage, he will likewise be the very hyest ouer all, or rather without pere. And when you couet to ber aboue all, it is hard to keepe an equitie, which

is

to moste proper to iustice. Wherof comes to passe, that they can not abyde to bee bridled neyther with reason, nor with any common and rightfull order of lawe: and they become in the cõmon weale for the moste parte gifte geuers, and partmakers: that they may atteine to the greateste power, & bee rather by might superiour, than by iustice equall. But the harder it is to maister the affection, the worthier is the maistry. For there is no reason that ought to bee wout in iustice. They therfore bee counted manly, and of great corage, not who do any wrong, but who withstande it. But a true, and wise stouthearte iudgeth that honesty, which nature chiefly foloweth, to stande in deedes, and not in glory: and had rather bee, than seeme the chiefe. For who so hangeth vppon the wauering of the vnskilfull multitude, he is not to bee counted among the nomber of manly menne. But as euery manne is of the best

D.p. corage

est iustitiæ maximè propria. Ex quo fit, vt neque disceptatione vinciſe, nec vllo publico ac legitimo iure patiantur. Exſtiuntq; in Repub. plerunq; largitores & factiosi, vt opes quam maximas conſequantur, & ſint vi potius ſuperiores, quàm iuſtitia pares. Sed quo id eſt difficilius, hoc præclarius. Nullum enim eſt tempus, quod iuſtitiæ vacare debeat. Fortis igitur & magnanimi ſunt habendi, non qui faciunt, ſed qui propulſant iniuriam. Vera autem et ſapiens animi magnitudo honeſtum illud, quod maximè natura ſequitur, in factis poſitum, non in gloria iudicat: principēque ſe eſſe mauult, quàm videri. Etenim qui ex errore imperitæ multitudinis pēdet, hic in magnis viris non eſt habendus.

Facillimè autem ad res iniustas impellitur, vt quisq; altissimo est animo & gloriæ cupido. Qui locus est sane lubricus: quòd vix inuenitur, qui laboribus susceptis, periculisq; aditis, non quasi mercedē rerū gestarū desideret gloriā. Omnino fortis animus et magnus duabus reb⁹ maximè cernitur: quarū vna in rerū externarū despiciētia ponitur: cū persuasū sit nihil hominē nisi quod honestū, decorūq; sit aut admirari, aut optare, aut expetere oportere: nulliq; neq; homini, neq; perturbationi animi, nec fortunæ succūbere. Altera est res, vt cū ita sis animo affect⁹, vt suprà dixi, res geras magnas illas quidē et maximè vtiles sed vehemēter arduas, plenasq; laborū et periculorū, tū vitæ, tum multarū causa rerum, quæ ad vitam pertinēt. Harum rerum duarum

corage, and desirous of glorie: so is he soonest egged to vniust doinges. Whiche is in deede a verye slyppee place: bycause scase there is any man founde, who when he hath susteined trauailes, and auentured daungers, doth not desire glorie, as rewarde of his doynges.

A manly corage, and a greate is alwayes by twoo thynges chiefely discerned: whereof the one standes in the contempte of outwarde thynges: when it is persuaded, that a man ought not eyther to esteeme, eyther wishe, or desire any thyng, but that is honest: and vnseemely to yelde to none, neither man, nor affection, nor chaunce of fortune. The other thing is, that when you be so disposed in corage as I sayde before: ye do great enterprises, and those same right profitable: but yet very harde, and full of trauaile, and daunger, both for life & for many thinges, that to life do belong. All the glory, & honour of these

two

two thinges, I adde thertto the profite, standes in the latter: but the cause, and meane, that makes manly men, is in the former. For mutis that, whyche maketh excellent corages, and suche as despise the worldes vanities. But thissame resteth in two thinges: if both you iudge that only to be good, which is honest, and also be free from all moodinesse of minde. For it is to be counted the part of a great, and manly corage, bothe to sette light by those things, which do seeme precious, and gorgeous to the greater nomber: and also to deipise the same, with a stedfaste, and grounded iudgement: and ipsewyse it is a signe of mightye corage, and greate stedfastnesse, so to bere those thinges: which seeme bitter & be much, & sundry wayes tosse in mans life, and fortune: as nothig you swarue from the order of nature, nor the worthynesse of a wyse man. And it is not meete, that he bee subdued with desire, who is not

splendor omnis & amplitudo, addo etiã vilitatẽ, in posteriore est: causa autẽ & ratio efficiens magnos viros, est in priore. In eorum est illud, quod excellentes animos, & humana contemnentes facit. Id autem ipsum cernitur in duobus: si & solum id, quod honestum sit, bonum iudices & ab omni animi perturbatione liber sis. Nam & ea, quæ eximia pleruſq, & præclara videtur, parua ducere eaq, ratione stabili, firmaq, contẽnere, fortis animi, magniq, ducendũ sit. Et ea, quæ videntur acerba, quæ multa & varia in hominum vita, fortunaq, versantur, ita ferre, vt nihil à statu naturæ discedas, nihil à dignitate sapientis, hoc robusti animi est: magnaque constantia. Non est autem consentaneum, qui metu non frangatur

eum frangi cupiditate: nec qui inuictus se à labore præstiterit, vinci à voluptate. Quamobrè et hæc vitanda sunt: & pecuniæ fugienda cupiditas. Nihil enim est tã angusti animi, tamq; parui, quàm amare diuitias. Nihil honestius, magnificentiusq;, quàm pecuniam contemnere, si non habeas: si habeas, ad beneficentiam liberalitatẽq; conferre. Cauenda est etiam gloriæ cupiditas, vt supra dixi. Eripit enim libertatẽ: pro qua magnanimis viris omnis debet esse contentio. Nec verò imperia expetẽda, ac potius aut non accipienda interdum, aut deponẽda nõnunquam. Vacandum autẽ est omni animi perturbatione, tum cupiditate & metu, tum etiam ægritudine, & voluptate animi, et iracundia, vt tranquillitas adsit

not subdued with feareme, that he be ouercomme with pleasure, who hath shewen him selfe vnable to be ouercome with trauaile. Wherefore bothe these faultes are to bee auoyded, and also couetousnesse of money is to bee eschewed. For nothing is so muche a signe of a small, and slender courage, as to loue richesse: nothing there is honester, and nobler, than to despise money, if you haue it not: and if you haue it, to bestowe it in bounteousnesse, and liberalitie. We must also beware of desire of glory, as I said tofore. For it pulles away the freedome of the mynde: for the which, all the endeuour of stoutharted menne should bee. And verely we ought not to seeke for rule, but rather not to receiue it sometime, or otherwhyle to giue it ouer. And we must befree frõ all troublesome sturre of minde: from desire, and feare, from heartsickneesse, and voluptuousnesse, and angrynesse: that we may haue quietnesse of

minde

binde, & voydnesse of care: the which may bring bothe stedfastnes, and also a worthy estimacion.

But diuers there be, and haue been: who desiryng that same quietnesse, that I speake of, haue withdrawne them selues from common affaires, and haue gotte them to quietnesse. Amonge these, both the noblest philosophers, and the very chiefe, and also certeine vpright, and graue men neyther couide abyde the maners of ẏ people, nor of the rulers: and many of them haue lyued in deserte places, as delyted onely with their home matters. These shoote at the same marke, that kynges doo: that is, to haue neede of nothing, to obey no man, and to vse their owne libertie: whose propertie is, to lyue as ye list. Wherefore sith this is common both to the desirous of power, & those (whō I spake of) that leade the quiet life: the one sorte do thinke them selues able to compasse it, if they haue great

& securitas, quæ afferat tum constantiam, tum etiam dignitatem. Multi autem & sunt, & fuerunt, qui eā, quam dico, tranquillitatem expetentes, à negotijs publicis se remouerūt, ad otiumq́; profugerunt. In his & nobilissimi Philosophi, longeq́; principes: & quidem homines seueri & graues, nec populi, nec principum mores ferre potuerunt. vixeruntq́; nonnulli in agris delectati re sua familiari. His idem propositum fuit, quod & regibus: vt ne quare egerent, ne cui parerent, libertate vterentur: cuius proprium est, sic viuere vt velis. Quare cum hoc commune sit potentiæ cupidorum, cum ijs, quos dixi otiosos: alteri se adipisci id posse arbitrantur, si opes magnas ha-

habeant: alteri, si contenti sint et suo et paruo. In quo quidem neutrorum omnino contemnenda est sententia. Sed & facilior, & tutior, & minus alijs grauis, aut molesta vita est otiosorũ. Fructuosior autem hominum generi, et ad claritatem amplitudinemq́, aptior: eorum, qui se ad Rempub. et ad res magnas gerendas accommodauerunt.

Quapropter et ijs forsitan concedendũ sit, Reꝑpub. non capescentibus, qui excellenti ingenio, otio, doctrinaq́, se se dediderunt. Et ijs, qui aut valetudinis imbecillitate, aut aliqua grauiore causa impediti, à Repu. recesserunt, cũ eius administrandæ potestatẽ alijs, laudẽq́, concederent. Quib⁹ autem talis nulla sit causa,

greate welth: the other, yf they be contented with their owne, and a little. Wherein verily the opinion of neither of them is vtterly to be despised: but the life of the quiet liuers is bothe easier, and safer, and lesse greuous or troblesome to other: and theirs is the profitabler for mankinde, and fitter for fame, and honour: who haue applyed them selues to the common weale, and going thorough with greate matters. Wherefore peraduenture bothe they are to bee borne withall, that take not in hande the common weale, who of an excellent wytte haue applyed them selues to learning: and also they, who beyng letted eyther by sickelinesse, or some other more weyghtye cause, haue conueyed them selues away from the common weale: when they were well content to leaue to other the authoritie, and prayse of rulyng the same. But to whom there is no suche occasion: yf they

they say they set nought by those thynges, that moste men haue in admiration, as rule, and office bearyng: to these I thinke it worthy to bee counted not onely no prayse, but also a faulte. Whose iudgement it were very harde to disalowe, in that they despise glorie, and esteme it as nothyng: but they seme to feare the troubles, and greeues bothe of geuing offence, and hauing repulses, as a certeyne reproche and defame. For there be, who do little agree with them selues in things that be contrarye: as some moste earnestlye contemne pleasure, and in paine bee somewhat tenderer: some regarde not glorye and bee broken with slaunder: and these thynges they do not with sufficient stedfastnes. But al lingerying set aside, offices are to be taken, and the common weale to bee serued of those, who haue by nature the helpes of dispatch of matters. For other wyse can neyther the state be

si despicere se dicant ea, quæ plerique admirentur, imperia, & magistratus: ijs non modo non laudi, verùm etiam vitio dandum puta: quorum iudicio in eo, quod gloriam contemnant, & pro nihilo putent, difficile factu est non probare. Sed videntur labores, et molestias, tum offensionum, tum repulsarum, quasi quandam ignominiam timere, et infamiam. Sunt enim qui in rebus contrarijs parum sibi constent: voluptatem seuerissimè contẽnant, in dolore sint moliores: gloriã negligant, frangãtur infamia: atque ea quidem non satis constanter. Sed ijs, qui habent à natura adiumẽta rerũ gerendarũ, abiecta omni cũctatione adipiscẽdi magistratũ sũt, et gerẽda Respu. est. Nec enim aliter aut regi

cimitas, aut declarari animi magnitudo poteſt. Capeſcentibus autem Reſpu. nihil minus quàm Philoſophis, haud ſcio an magis etiam & magnificentia & diſpicientia adhibenda ſit rerum humanarum (quam ſæpe dico) & tranquillitas animi, atq; ſecuritas. Siquidem nec anxij futuri ſunt, & cum grauitate, conſtantiaq; victuri: quæ eò facíliora ſunt Philoſophis, quò minus patent multa in eorũ vita, quæ fortuna feriat: & quò minus multis rebus egent: & quia ſi quid aduerſi euenit, tam grauiter cadere non poſſunt. Quo circa non ſine cauſa maiores motus animorum concitantur, maior aq; efficienda Reſpub. gerentibus, quàm quietis: quo magis his et magnitudo animi eſt adhibẽda, et vacuitas ab

be gouerned, nor the greatneſſe of corage be declared. And of ſuch as take vppon them the common weale, no leſſe than of phyloſophers, yea and I wot not whether more, muſt be vſed bothe a maieſtie, and a contempt of worldly thinges (which I often repeate) & alſo a quietneſſe of minde, and boldneſſe of care: for ſo they ſhall not be thoughtful, and with grauitie, and ſtedfaſtneſſe they ſhall leade theyr lyfe. Which thynges be ſo much the eaſier to philoſophers, as the fewer thynges lye open in theyr lyfe, that fortune may ſtrike: and as the fewer thynges they ſtande in neede of: and becauſe they can not take ſo ſore a fall, if anye aduerſitie betide. Wherefore not without cauſe, greter motions of mindes be ſtirred vp in the: and greater enterpriſes are meete to be cõpaſed, by the gouernours of the common weale, than by the quiet liuers: and therfore the more greateneſſe of corage, and boldneſſe of greeues ought

they

they to vse. But who so doth come to the doyng of matters, let him take heede: that not only this he consider, how honest the matter is: but also that he haue an ableneſſe to discharge the same. In the which poynt muſt bee considered: that neither ouer soone he deſpaire for dastardlyneſſe, nor ouermuche haue affiaunce for greedineſſe. And in all matters, before ye go about them, there muſt bee vſed a diligent preparation.

But whereas moſte men ſuppoſe martiall feates to be greater, than citie cauſes: this opinion is to be abated. For manye haue ſought warre oftentymes, vpon deſire of glory: and it comonly befalleth in greate wittes, and cozages: and ſo much the more, if they be mē fit for chiualrie, and deſirous of warrefare. But if we myndе to iudge truely: there haue been many citie matters greater, and nobler than martiall. For though Themiſtocles be rightfully commended, and his name is

angoribus. Ad rem gerēdā autem qui accedit, caueat ne id modo cōſideret, quām illa res honeſta ſit: ſed etiam vt habeat efficiendi facultatē. In quo ipſo conſiderandū eſt, ne aut temere deſperet propter ignauiā: aut nimis confidat propter cupiditatē. In omnibus autē negotijs priuſquām aggrediare, adhibēda eſt præparatio diligens. Sed cū plerique arbitrētur res belli eas maiores eſſe quām vrbanas, minuēda eſt hæc opinio. Multi enim bella ſæpe quæſiuerunt propter gloriæ cupiditatem, atq; id in magnis animis, ingenioſq; plerūq; contingit: eoq; magis ſi ſint ad rē militarē apti, et cupidi bellorū gerendorū. Verē autē ſi volumus iudicare, multæ res extiterūt vrbane maiores clarioreſq; quām bellicæ. Quāuis enim Themiſtocles iure laudetur, et ſit eius nomē

quàm Solonis illustrius: citeturq́, Salamis clarissimæ testis victoriæ, quæ anteponatur consilio Solonis ei, quo primũ constituit Areopagitas: non minus præclarum hoc, quàm illud iudicandum est. Illud enim semel profuit, hoc semper proderit ciuitati. Hoc cõsilio leges Atheniensium, hoc maiorum instituta seruantur. Et Themistocles quidem nihil dixit in quo ipse Areopagum adiuuerit: at ille verè adiuuit Themistoclem, Est enim bellum gestum consilio senatus eius, qui à Solone erat constitutus. Licet eadem de Pausania, Lysãdroq́, dicere: quorum rebus gestis, quanquam imperiũ Lacedæmonijs dilatatum putatur: tamen ne minima quidem ex parte Lycurgi legibus & disciplinæ conferendi sunt, quin etiam ob has ipsas causas,

more famous, than Solõs & Salamis is cited a witnesse of his most glorious victorie: and it is preferde aboue that councell of Solon, wherewith he first ordeined the Areopagites: yet no lesse praise worthye is this, than that, to be adiudged. For that but once auailed, this shall for euer auaile the citie. By this counsell, the lawes of the Athenians, by this, the orders of their elders bee preserued. And Themistocles can alledge nothing, wherwith he furdered the Areopage: but Solon furdered Themistocles. For the warre was mainteined by the aduise of that Senate, which by Solon was established. We may sai as much of Pausanias, & Lysander by whose deedes of armes though the Empire of the Lacedemonians is thought to haue been enlarged: yet verely they are not to be compared in the least part with Lycurgus lawes and order: yea moreouer by these occasyons, they

they had theyr armies both forwarder, and valiaunter. Neither when I was a childe, me thought Marcus Scaurus gaue place to Caius Marius: nor when I badde a doo in the commō weale, Quintus Catulus, to Cneus Pompeius. For of small force is the warre abrode, onlesse there be good aduise at home. Nor Africanus, both a singuler man, & captaine also, did more profit the commō weale in razing of Numāce than at that time, Publius Nasica, a priuate man dyd furder it, whē he slewe Tiberius Gracchus. Howbeit this case in dede is not only a citie matter. For it belongeth also to the nature of martial feates: sith it was wrought by force, and by strong hand. But yet that same was done by citie cōnsell, without an armie. And that is a goodlye sayeng, wherewith I heare, that I am wont to bee touched of enuyous, and lewde persons.

& paratiores habuerunt, exercit' et fortiores. Mihi quidē neq́ue pueris nobis M. Scaurus C. Mario, neq́, cum versaremur in Republica. Q. Catulus Cn. Pompeio cedere videbatur. Parua enim sunt foris arma, nisi est consilium domi. Nec plus Africanus singularis & vir & imperator in excidenda Numantia Reipub. profuit: quàm eodem tempore P. Nasica priuatus cum Tiberium Gracchum interemit. Quāquā hac quidem res non solum ex domestica est ratione, attingit enim & bellicam, quoniam vi, manuq́ue confecta est: sed tamen id ipsum gestum est consilio vrbano sine exercitu. Illud autem optimum est, in quo inuadi solere ab inuidis & improbis me audio.

Cedant arma togæ,
concedat laurea linguæ.

Vt enim alios omittam, nobis Remp. gubernantibus, nonne togæ arma cessere? neque enim in Repub. periculum fuit grauius vnquam, nec maius odium. Ita consilijs, diligentiaq; nostra celeriter de manibus audacissimorum ciuium delapsa arma ipsa ceciderunt.

Quæ res igitur gesta est vnquam in bello tanta? quis triumphus conferendus? Licet enim mihi M. fili apud te gloriari: ad quem & hereditas huius gloriæ, & factorum imitatio pertinet.

Mihi quidem certe vir abũdans bellicis laudibus Cn. Pompeius multis audientibus hoc tribuit: vt diceret, frustra se tertium triumphum deportaturum fuisse, nisi meo in Rempub.

To the robe aboue armes
let glory belonge.
And the laurel yeue place
to the oratours tonge.

For, that I may passe ouer other: did not armes yeelde vnto the robe, when I gouerned the common weale? For neyther in the common weale was euer a sorer perell, nor yet a greater quiet. So by our counsell, and diligence, the very weapons, fullsoone slyding out of the boldest citizens handes, did fall to the grounde. What enterprise, I pray you, in warre was euer doone so greate? what triumphe is there with it to bee compared? For I maye, sonne Marke, glorie before you: to whom dothe the inheritance of this glorie, and the imitacion of my dedes doth pertein. Cneus Pompeius a man flowing full of martiall prayses, gaue me this cõmendacion, in the hearing of many: ẏ he sayd, he shoe in vaine haue borne away the third triumph: except, by my furderance in the cõmon weale,

weale, he shoulde haue had a place, where he might haue triumphed. Domestical hood then is not inferiour to martiall: in which also we must bestowe more labour, and studie, than in this. For always that honestie which we seeke in warres and princely corage, is wrought by the strength of the mind, and not of the body. yet the body muste be exercised, and brought in such plight: as it may be able to folow counsell and reason, in executing maters, and sustayning trauaile. But that honestie whereafter we serch al hole consisteth in the care, and rulyng of the minde: wherin they lyeng no lesse cõmodite, who robed do gouerne the cõmon weale: than they do: who armed do make the warres. And therefore, by their aduise oftentymes, warres be either not begon or ended, and many tymes attempted: as by Marcus Catoes counsell, was the third Punike warre: wherin the authoritie of the dead man auailed. wherfore ra-

E.iii. ther

beneficio vbi triumpharet, esset habiturus. Sunt ergo domestica fortitudines non inferiores militaribus, in quibus plus etiã quàm in his operæ, studiq; ponendum est. Omnino enim illud honestũ, quod ex animo excelso, magnifico, quæritur, animi efficitur, non corporis viribus. Exercendũ tamen corpus, & ita afficiendũ est, vt obedire consilio, rationiq; possit in exequẽdis negotijs, & in laboribus tollerãdis. Honestũ autẽ id, quod exquirimus, totũ est positũ in animi cura et cogitatione. In quo non minorem virtutẽ adferunt, qui togati Reip. præsunt, quàm qui bella gerunt. Itaq; eorũ consilio sæpe aut non suscepta, aut cõfecta bella sunt nonnunquã etiam illata: vt M. Catonis consilio bellum tertium Punicum, in quo etiam mortui valuit authoritas. Quare

expetenda quidem magis est decernendi ratio, quàm decertandi fortitudo. Sed cauẽdum ne id bellãdi magis fuga, quàm vtilitatis ratione faciamus. Bellũ autem ita suscipiatur, vt nihil aliud nisi pax quæsita videatur. Fortis vero animi et constãtis est, non perturbari in rebus asperis: nec tumultuantẽ de gradu deijci, vt dicitur: sed præsentis animi vti consilio: nec à ratione discedere. Quanquã hoc animi, illud etiam ingenij magni est percipere cogitatione futura: & aliquanto ante constituere, quid accidere possit in vtrãq; partem: & quid agendũ sit, cum quid euenerit: nec committere aliquid, vt aliquãdo dicendum sit, NON PVTARAM. Hæc sũt opera magni animi et excelsi et prudẽtia, cõsilioq; fidẽtis.

ther wisedome in determining, than mãlinesse in fighting is to be desired: but we muste beware that wee take not vp the matter by aduise, more to auoyde war thã for cause of profit. And so let warre be takẽ in hand as no other thing may seme but peas, to haue bẽ sought.

And it is verely a token of a manly corage, and a constant, not to be disquieted in rough stormes: nor in making a hurle, to bee thrust frõ his place, as they say: but to folow the counsel of a present corage, nor yet to swarue from reason. Notwithstanding, the one comes of corage: the other procedes of a great wit, to fore cõceiue in mind things to come: and somewhat before to appoint vpon, what may befall on both sides: & what is to be done, whẽ any thing shal happẽ: nor to cõmit ought, that at any time one shold haue cause to say, Hadde I wiste. These be the workes of a greate, and loftye corage, and leanyng vpon prudence, & counsell.

But

But for a man to vse hym selfe rashely in fielde, & so to buckle with the enemie hād to hand, it is a certein brutishe, and beastly thing: but when time is, and necessitie requires, a man must fyght hand to hād, & prefer death before slauery and shame.

But touching the razing and sacking of cities, thus greatly is to be considered: that nothyng rashely, nothyng cruelly be donc. And it is the cōdicion of a stouteherted man, in the ende of broiles, to punithe the offēders, to saue the multitude, in euery estate to maintein right, & honestie. For lyke as there be (as I said before) who doo preferre martiall feates before citie causes: so may ye finde many, to whō daungerous, and hotebrained deuises seeme glorious er, and greater, than quiet counsels. We must neuer by seking to escape perel, deserue to seeme cowardes, and bastardes: but this wee muste take heede of, that we put not our selues in daunger without cause:

Temere autē in acie versari, & manu cū hoste cōfligere, immane quiddā, et beluarū simile est. Sed cū tempus, necessitas q̄, postulat, de certandū manu est, & mors seruituti, turpitudiniq̄ anteponēda.

De euertendis autē, diripiendisq̄ vrbibus valde illud considerandū est: ne quid temere, ne quid crudeliter fiat. Idq̄ est viri magnanimi rebus agitatis punire fontes: multitudinē cōseruare: in omni fortuna, recta atq̄, honesta retinere. Vt enim sunt (quemadmodū supra dixi) qui vrbanis rebus bellicas anteponūt: sic reperies multos, quibus periculosa et callida cōsilia quietis cogitationibus splendidiora et maiora videātur. Nūquā omnino periculi fuga cōmittēdū est, vt ībelles, timediq̄, videamur sed fugiēdū etiā illud, ne offeram⁹ nos periculis sine causa

quo nihil potest esse stultius. Qua propter in adeundis periculis consuetudo imitanda medicorum est, qui leuiter aegrotantes, leuiter curant: grauioribus autem morbis periculosas curationes et ancipites adhibere cogantur. Qua re in tranquillo tempestate aduersa optare dementis est, subuenire autem tempestati quauis ratione, sapientis: eoq; magis si plus adipiscare re explicata boni, quam addubitata mali. Periculosae autem rerum actiones partim ijs sunt, qui eas suscipiunt, partim Reipub. Itemque aliy de vita, aliy de gloria, & beneuolentia ciuium in discrimen vocantur. Promptiores igitur debemus esse ad nostra pericula quam ad communia: dimicareq; paratius de honore et gloria, quam de caeteris commodis. Inuenti autem multi sunt, qui non modo

for ther can be nothing fooliſher, than ſo to do. Wherefore in auēturing dangers, the gyſe of the phiſicians is to be followed: who do lightly curſe the lightly diſeaſed: but to ſore ſickneſſes they be driuen to miniſter dangerous, and doutfull medecines. Therefore in a calme to wiſhe a ſore tempeſt, it is a mad mās part: but to make ſhift in a tempeſt, by al maner meanes, it is a wiſe mās propertie: and ſo muche the more, if pe attein more good when the thing is paſt, than harme, whā it was in dout. But the doing of matters bee daungerous, partly to thoſe, whiche take them in hande, and partly to the cōmon weale. And alſo ſome bee brought in halard of their life, ſome of their glorie, ſome of the peoples fauour. We ought therfore to be redier to aduenture our owne, than common perels: and to fight ſooner for honour, and glorie, than for other commodities.

But there haue ben ſom many, who for their contra-

wert

were redie to spend not only their substance, but also their lyfe: and thase same yet wouldo not be content to lose one iote of their glorie: no not though the common weale wouldo require it: as Callicratides, who when he was capteyne of the Lacedemonians, in the Peloponnesian warre, and hadde done manye thynges worthely: in the ende, ouerturned all: when he did not folow their aduise: who thought good to transporte the nauie from Arginuses and not to fight with the Athenians. To whom he made answeare, howe the Lacedemonians, that nauie beyng lost, might make forth an other: but he could not flee without his dishonour. And this was, no dout, to the Lacedemonians a meetely sore plage: but it was a pestilent plage whereby the Lacedemonians power fell flatte to the grounde: when Cleombrotus, fearyng enuye, hadde rashely encountred with Epaminondas.

pecuniam, sed vitam etiam profundere pro patria parati essent: idem gloriæ iacturam ne minimam quidem facere vellent, ne Republi. quidem postulante: vt Callicratides, qui cum Lacædemoniorum dux esset Peloponnesiaco bello, multaque fecisset egregiè, vertit ad extremum omnia, cum consilio non parui eorum qui classem ab Arginussis remouendam, nec cum Atheniensibus dimicandum putabant: quibus ille respondit: Lacedæmonios classe illa amissa aliam parare posse: se fugere sine suo dedecore nō posse. Atq, hæc quidem Lacedæmonys plaga mediocris fuit: illa pestifera, qua cum Cleombrotus inuidiam timens temere cum Epaminūda conflixisset, Lacedæmoniorum opes corruerunt.

Quanto Q. Maximus melius? de quo Ennius.

Vnus homo nobis cunctando restituit rem,

Non ponebat enim
rumores ante salutem.

Ergo postq; magisq;
viri nunc gloria claret.

Quod genus peccandi vitandum est etiam in rebus vrbanis. Sunt enim qui quod sentiunt, etiam si optimum sit, tamen inuidiæ metu nõ audent dicere. Omnino qui Reipub. præfuturi sunt, duo Platonis præcepta teneant. Vnum vt vtilitatem ciuium sic tueãtur, vt quicquid agunt, ad eam referant, obliti commodorum suorum. Alterum vt totum corpus Reipub. curent: ne dum partẽ aliquam tuentur, reliquas deserãt. Vt enim tutela

How much better did Quintus Fabius Maximus? of whom quoth Ennius:

One wight there is, that hath
our welth restored by delayes:
For he before all rumours
did our safties set alwayes:
wherfore in longer course of
time, the greater is his
praise.

Whiche kynde of misdoyng must be also auoided in cyuile matters. For ther bee men who, bee it neuer so good, yf they think, yet for feare of enuy they dare not vtter it. Whoso shalbe gouernours of the cõmon weale, let them obserue two preceptes of Platoes: one is, that they so maintaine the profit of the cõmons: that what euer they do, they referre it therto, alwayes forgetting their owne cõmodities: the other is, that they haue care ouer the hole body of the cõmon weale: leste while they vpholde some one part, the rest they leaue destitute. For lyke as gardenshyppe,

euen

ment so gouernement of the common weale ought to be vsed to the profit of them, who are cōmitted: and not of them, to whom it is committed. But who so prouide for parte of the people, & of part be recklesse: they bring in sedicion, and discorde, the thing most hurtfull to the common weale: whereby it befalleth, that some do seeme people pleasers, some affectionate to nobilitie, but fewe to the hole. Here of sprange great discention among the Athenians: and in our common weale, not only sedicion, but also sore ciuill warre: the which a graue and stout citizen, and worthy of rule in the common weale, will flee and hate: and giue him selfe hole to the cōmon weale: & nother hūt after riches, nor power: but wyll so defende the holle state, as he maye prouide for all men. Nor by false accusacions wil hee bring anye manne into hatred, or enuie: but alwaies wyll so cleane to iustyce, and

sic procuratio Reip. ad vtilitatē eorum qui cōmissi sunt, non ad eorū quibus cōmissa est gerenda est. Qui autem parti ciuiū consulunt, partē negligunt, rem perniciosissimam in ciuitatē inducunt, seditionem atq; discordiam. Ex quo euenit, vt alij populares, alij studiosi optimi cuiusq; videantur, pauci vniuersorum. Hinc apud Athenienses magnæ discordiæ ortæ in nostra Repub. non solū seditiones, sed pestifera etiam bella ciuilia. Quæ grauis et fortis ciuis in Repub. dignus principatu fugiet atq; oderit: tradetq; se totū Reip, neque opes aut potentiā consectabitur: totamq; eā sic tuebitur: vt omnibus cōsulat. Nec vero criminibus falsis in odium, aut inuidiam quenquā vocabit: omninoq; ita iustitiæ, honestatiqúe adherescet,

vt dum eam conseruet, quẽuis grauiter offendat: mortemque oppetat potius, quam deseratilla, quæ dixi. Misserrima est omnino ambitio, honorumq; contentio. De qua præclare apud eundem est Platonem: similiter facere eos, qui inter se contenderent, vter potius Rempu. administraret, vt si nauta certarent, quis eorum potissimum gubernaret. Idemque præcepit, vt eos aduersarios existimemus, qui arma contra ferant, non eos, qui suo iudicio tueri Rempub. velint: qualis fuit inter P. Africanum, & Q. Metellum sine acerbitate dissensio.

Nec verò audiendi sunt, qui grauiter transcendum inimicis putabunt,

and honestie: that, while he may maintetne it, although he loze offende other, he woulde desire death rather, than forsake those thinges that I haue spoken of. Ambicion no dout, & stryuyng for promotion is a very mysserable thing: whereof it is notablye sayde in the same Plato: that semblably fare they, who woulde striue together, whether of them should rather rule the common weale: as if the mariners should be at variance, which of the should chefely gouerne the helme. And the same hath taught vs, that those wee take as enemies, which woulde beare armour against vs: and not those who by their discretion meane to preserue the common weale: as the discretion betweene Publius Africanus, and Quintus Metellus was without all bitternesse of malice. Neyther are they worthy to be heard: whiche holde opinion, that Wee shoulde be throughly angry with our enemies: and do thynke,

it is

it is the propertie of a stout herted, and a manly man. For there is nothing more cōmendable, nothing more seemely for a great and noble man, than pleasablenes and mercy. But in free cities, and where there is an equalitie of law, there must be vsed also a myldenesse & noble corage, as they call it: leste, if we bee angry eyther with commers out of time, or crauers without shame: we fall into a testifnesse of mynde, both vnprofitable, and hatefull. And yet meekenesse, and mercie is so to be alowed: that, for the common weales sake, a seueritie be vsed: without which, a citie can not be gouerned. But all ponnishement, and chastysement must bee voyde of malice: and not be applyed to serue his aurne, who ponnisheth or rebuketh any man, but to the common weales behofe. We must also beware, that the ponnishement bee not greater than the fault: & lest al for one mater, some be corrected, some not once spokē vnto.

idq; magnanimi et fortis viri esse censebūt. Nihil enim laudabilius, nihil magno & praeclaro viro dignius placabilitate atq; clemētia. In liberis vero populis, & in iuris aequabilitate exercēda etiam est facilitas, et altitudo animi quae dicitur: ne si irascamur, aut intēpestiue accedētibus, aut imprudēter rogātibus, in morositatē inutilem & odiosā incidamus. Et tamē ita probāda est māsuetudo atq; clemētia, vt adhibeatur Reipublicae causa seueritas, sine qua administrari ciuitas nō potest. Omnis autē & animaduersio, et castigatio, cōtumelia vacare debet: neq; ad eius, qui punit aliquē, aut verbis castigat, sed ad Reipub. vtilitatē referri. Cauendum etiam ne maior poena quàm culpa sit, & ne eisdē de causis alij plectantur, alij ne appellētur quidē.

Prohibenda autem maximè est ira in puniendo. Nunquam enim iratus qui accedet ad pœnam, mediocritatem illam tenebit, quæ est inter nimium & parum: quæ placet Peripateticis, & rectè placet, modò ne laudarent iracundiam, & dicerẽt vtiliter à natura datam. Illa verò omnibus in rebus repudianda est, optandumque vt ij, qui præsunt Reipu. legum similes sint: quæ ad puniendum non iracundia, sed æquitate ducũtur. Atq; etiã in rebus prosperis, & ad voluntatem nostram fluentibus superbiam, fastidium, arrogantiamque magnopere fugiamus. Nam vt aduersas res, sic secundas immoderatè ferre leuitatis est præclaraq; est æquabilitas in omni vita, & idem semper vultus, eademque frons:

vnto. And in punishing we muste chiefely refrain the anger. For the angrye man that goth about punishment, shall neuer keepe that measure, that is betweene to mickle, & to little: ỳ which measure liketh the Peripatetikes: and of good cause it liketh them, were it so, they woulde not commende angrinesse, and saye, that it is profitably geuen of nature. But in all cases, that affection is to be refused: and it is to be wished, ỳ suche as gouerne the cõmen weale, be like the lawes: which be moued to punish offenders not vpon any wrath, but vpon equitie.

Moreouer in prosperitie, and when thinges flow euē at our will, let vs earnestly flee pride, disdeinfulnesse, and arrogancie. For as it is a point of lightnesse, vnmeasurably to beare aduersitie: so it is no lesse, vnmeasurably to vse prosperitie: & a continuall euennesse in all a mans life, and one cheere euermore, and one maner of face, is commendable, as

as we haue hard of Socrates, and also of Caius Lelius. Certesse I see howe Philip, king of the Macedonians, was excelled of his sonne, in prowesse, & glory: yet in mildenesse, and gentlenesse, he was farre aboue him. Wherfore the one was alwayes noble, the other oftentymes full beastely: so that they seeme rightly to teach, which warne vs: that how much the lyer we bee in degree, so much the lowlyer we beare our selues.

Panetius reporteth, how Africanus, his scholar, and familiar frende, was wont to say, like as horses by reason of the diuers fightes of warres waxing ouerhot, & corragious, me vse to put to riders, that they maye haue the the redier: euen so men vnbridled with prosperitie, & ouertrusting to the selues shoulde bee brought as it were within the compasse of reason, and learning: that they myght thorowlee the fraylenesse of the worlde, and the wauerynge of fortune.

More-

vt de Socrate, itéq; de C. Lelio accepimus. Philippũ quidem Macedonũ regem, reb' gestis & gloria superatũ à filio: facilitate et humanitate, video superiorem fuisse. Itaq; alter semper magnus, alter sape turpissimus fuit. Vt recte præcipere videantur qui monent, vt quãto superiores simus, tanto nos summissius geramus. Panætius quidem Africanum auditorem, & familiarem suum solitum ait dicere: vt equos propter crebras contentiones prælio-rum ferocitate exultantes domitoribus tradere soleãt, vt his facilioribꝰ possint vti: sic homines secundis rebus effrenatos, sibiq; præfidentes, tanquam in gyrum rationis, & doctrinæ duci oportere, vt perspicerent rerum humanarum imbecillitatẽ, varietatemq; Fortunæ.

Atq; etiam in secundissimis rebus maxime est vtendum consilio amicorum: ijsq; maior etiam quàm antè tribuenda est authoritas: ijsdemq; temporibus cauendum est, ne assentatoribus patefaciamus aures, nec adulari nos sinamus: in quo falli facile est. Tales enim nos tunc esse putamus, vt iure laudemur, ex quo nascuntur innumerabilia peccata: cum homines inflati opinionibus turpiter irridentur, et in maximis versantur erroribus. Sed hæc quidem hactenus. Illud autem sic est iudicãdum: maximas geri res, & maximi animi ab ijs, qui Rempu. regant, quòd eorum administratio latissime pateat, ad plurimosq; pertineat. Esse autem magni animi, & fuisse multos etiam in vita otiosa, qui aut inuestigarent, aut conarentur magna

Moreouer in our hiest prosperitie, we must most of all take the aduise of our frēds and we must geue them also a greater authoritie, than we dyd before: and in those seasons, we must take hede, that we open not our eares to flatterers: nor suffer our selues to bee clawed with flatterye: wherein it is an easye thing to bee begyled. For wee thinke our selues such, that of right we maye bee praised. Whereof do spring innumerable faults: when men puffe vp with opinion be shamefully scorned, and be wrapt in foolish errours. But of these matters thus faree we treate.

This then is to be taken thus: that the gretest dedes and of the greateste corage, bee done by them, whiche gouerne the commō weale: bycause their ministracion reachethe fardest, and to moste men apperteyneth. And that there be, and haue been many, euen in the quiet life, of gret corage, which eyther woulde trie out, or take in hand certeyn greate

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enterprisses: and wold kepe themselues within ẏ boūds of their owne matters: or els, placed betweene philosophers, and those that rule the commonweale, woulde be delited with their home goodes: not heaping vp ẏ same, by all maner of meanes, nor barring theirs frō the vse thereof: but rather emparting thē both to their frendes, and to the commōweale, if at any time there should be neede. Whych good, first, let it be wel gotten, and with no dishonest, or hacefull gayne: next, let it be readie to doo good, to manie, so they be worthie: lastlie, let it bee encreased with discretion, diligence, & thrift: and not lye open rather to lust, and ryot, than to liberalitie, and bountyfulnesse.

These foresayde lessons whoso obserueth: may liue both honourablie, grauelie, and stoutlie, and also plainly, faithfullie, and frendlye for the trade of mans lyfe. It folowes, that we speake of ẏ other part of honesty,

quædam, sesq; suarum rerum finibus continerent: aut interiecti inter philosophos et eos qui Rempub. administrarent, delectarentur re sua familiari. non eā quidē omne ratione exaggerantes, neq; excludētes ab eius vsu suos potiusq; et amicis impartiētes, et Reipub. si quādo vsus esset. Quæ primum bene parta sit, nullo neque turpi quæstu neq; odioso, tū quam plurimis (modo dignis) se vtilē præbeat, deinde augeatur ratione diligētia, persimonia: nec libidini potius, luxuriæq;, quàm liberalitati, et beneficentiæ pateat. Hæc prescripta seruantem licet magnifice, grauiter, animoseq; viuere: atque etiam simpliciter, fideliter, vitæq; hominum amice.

Sequitur vt de vno reliqua parte honestatis dicēdū sit:

in qua verecundia, & quasi quidem ornatus vitæ, temperantia & modestia, omnisque sedatio perturbationum animi, & rerum modus cernitur. Hoc loco continetur id, quod dici latine decorum potest: græce enim Πρεπον *dicitur huius vis ea est, vt ab honesto non queat separari. Nam & quod decet honestum est: & quod honestum est, decet. Qualis autem differẽtia sit honesti, & decori: facilius intelligi, quàm explanari potest. Quicquid enim est quod deceat, id tum apparet, cum antegressa est honestas. Itaq; non solum in hac parte honestatis, de qua hoc loco disserendum est, sed etiam in tribus superioribus, quid deceat apparet. Nam & ratione vti atque oratione prudenter:*

which remayneth: wherein shamefastnesse, and temperance, as it were the certein ornament of mans life, and sober moode, and all appeasement of passions of the minde, and the measure of thynges is seene. In this place also comelinesse is conteined: the which may be named *Decorum* in latine, for in Greeke it is called, πρεπον. The nature herof is such, that from honestie it cannot be sondred. For both what becommeth is honest and also what is honest, becommeth. But what difference ther is betwene honesty, and comelinesse, it may sooner be conceiued, than expressed. For whatsoeuer it is, that becommeth, it then appeareth, whē honesty is gone before. And therfore not onelie in this part of honesty, whereof in this place we haue to dispute, but also in the three former parts it doth appeare what becōmeth. For as it becōmeth one to vse reason, and speeche discreetlie: to doe:

to doo, that he shoulde doo, aduisedlie: to eschue, and maintein whatsoeuer is in euery thing the trouth: so contrariwise to bee begyled, to erre, to fall, to be deceyued, as much it vnbecommeth: as to dote, and bee distraught in minde.

Therto all iust thinges be commelie: all vniust things again as they be dishoneſt, so are they vncommelie.

Like is the nature of manlinesse. For whatso is done manfullie, and with a great courage, that doth seeme meete for a man, & comelie: whatso goeth contrarie: that as it is dishoneſt, euen so it is vncommelie.

Wherfore this comelinesse, wherof I speake, doth pertein to all honestie in dede: and so perteines, that not after a certein hidden sorte it is seene, but stãdes in open sight. For a certein thyng ther is, that becõmeth: and the same is perceiued in euerye vertue: which more by imagnacion, than in dede, may be seuered from vertue.

& agere quod agas consyderate: omnique in re quid sit veri videre et tueri decet contraq; falli errare, labi, decipi, tam dedecet, quam delirare, & mente captum esse. Et iusta omnia decora sunt: iniusta contrà, vt turpia, sic indecora. Similis est ratio fortitudinis.

Quod enim viriliter animoq; magno fit, id dignum viro & decorum videtur: quod contra, id vt turpe, sic indecorum. Quare pertinet quidem ad omnem honestatem hoc, quod dico decorum: & ita pertinet, vt non recondita quadam ratione cernatur, sed sit in promptu. Est enim quiddam (idq; intelligitur in omni virtute) quod decoat: quod cogitatione magis à virtute potest: quàm re separari:

et vt venustas, et pulchritudo corporis secerni nõ potest à valetudine: sic hoc, de quo loquimur decorũ, totum illud est quidem cũ virtute cõfusum, sed mente et cogitatione distinguitur. Est autẽ eius descriptio duplex, nã et generale quoddã decorum intelligimus, qd in omni honestate versatur: & aliud huic subiectũ, qd pertinet ad singulas partes honestatis. Atq; illud superius sic ferè definiri solet. Decorũ id esse qd consentaneum sit hominis excellentiæ in eo, in quo natura eius à reliquis animãtibus differat. Quæ autem pars subiecta generi est, eam sic definiunt, vt id decorum esse velint, qd ita naturæ cõsentaneũ sit, vt in eo moderatio et tẽperãtia appareat cũ specie quadã liberali. Hæc ita esse, intelligere possumus

For as goodlineſſe, & beautie of bodie can not be parted from helth: ſo this comlineſſe, wherof we treate, is altogither blended with vertue: but yet in ones minde, and thought it maye be deuided.

But the diſcription therof is on twoo ſortes. For both we conceiue a generall comelineſſe to bee, whych in all honeſtie hath to doo: and an other ſpeciall comelineſſe vnder thys, which belongeth to euery particular parte of honeſty. And ẏ former thus in a maner is wont to be defined: that it is commelie, which is agreable to mans excellencie, in that, wherin hys nature is different from other liuing creatures. But they define the part, whych is vnder the generall, in ſuch wiſe: ẏ it they will haue to be counted comlie, which is ſo to nature agreable, as in it may appere both meſure bieneſſe, and temperaunce, with a certein honeſt ſhow. That theſe bee thus ment, of ẏ philoſophers, we maye

geſſe

gesse by that commelinesse, which the poets folowe: whereof, in an other place, we are wont to say more. But then, we say, the poets kepe that grace, which becommeth: when it, that to eche person is sitting, bothe is doone, and sayde: as if either Eacus, or Minos should say:

Wel let thē hate, alwhyle they stand in feare: or this;

His childrens graue the parentself now is:

Uncomelie it should seme: because we haue herd, that they were iust menne. But Atreus saying so, it is liked of the hearers, because the speeche is fitte for the persone.

But poets will iudge by the person, what is comelie for euery bodye: howbeit nature her selfe hath put vpō vs a personage of gret excellence, and preeminence aboue al other liuing creatures. Wherfore poets, in ẏ great diuersitie of persons, will espie what is fitte, euē for the wicked sort, & what becommeth them.

ex eo decoro, quod poetæ sequuntur: de quo alio loco plura dici solent. Sed tum seruare illud poetas quod deceat dicimus, cum id quod quaque persona dignum est & fit, & dicitur. Vt si Aeacus aut Minos diceret. ODERINT DVM METVANT. aut, NATIS SEPVLCRVM IPSE EST PARENS: indecorū videretur ꝙ eos fuisse iustos accepimus. At Atreo dicente, plausus excitātur: est.n. digna persona oratio. Sed poetæ quid quēq; deceat, ex persona iudicabūt. Nobis autē personam imposuit ipsa natura, magna cū excellentia, præstantiaq; animātiū reliquorū. Quocirca poetæ in magna varietate personarum, etiam vitiosis quid cōueniat et quid deceat, videbunt.

Nobis autem cum à natura constantiæ, moderationis, tẽperantiæ, verecũdiæ partes datæ sint, cumq; eadẽ natura doceat nõ negligere, quẽadmodũ nos aduersus homines geramus: efficitur, vt & illud q̃ ad omnem honestatẽ pertinet decorũ, quàm latè fusum sit, appareat: et hoc q̃ spectatur in vno quoq; genere virtutis. Vt enim pulchritudo corporis aptâ compositione membrorũ mouet oculos, & delectat hoc ipso, q̃ inter se omnes partes quodã lepore cõsentiunt: sic hoc decorum, q̃ elucet in vita, mouet approbationẽ eorum, quibus cũ viuitur, ordine, & constantia, & moderatione dictorum omnium atq́ue factorũ. Adhibẽda est igitur quædam reuerentia aduersus homines, & optimi cuiusq́ue, & reliquorum.

But seeing the partes of stedfastnesse, measurablenesse, tẽperance, and shamefastnesse bee appointed vs by nature, and seeing the same nature, teacheth vs, not to bee recklesse, after what sorte we behaue our selues to euery manne: it comes to passe, that both it appereth, how farre ẏ comlinesse which apperteines to all honesty, doth reache: & thys also, which is marked in euery sere kinde of vertue. For as the beautifulnesse of the bodie with prõportionable making of the limmes mooueth a mãs yies: and deliteth them euẽ with this, that al ẏ parts w̃ a certein grace agree togyther: right so this cõelinesse that shineth abrode in our life, winneth their liking, w̃ whom we liue, by an order, stedfastnesse, & measurablenesse in all our wordes, and deedes. There muste bee vsed therefore a certein reuerence towarde menne, bothe to euery one of the best sorte, and also to the rest of meaner degrees.

For it is not onely a signe of an arrogant body, but also of one altogither lawlesse, to be reckles, what euery man thinketh of him.

But there is a differēce betwene iustice, & shamefastnesse, in euery respecte, that is to be had. It is the parte of iustice, to offer mē no violence: of shamefastnesse, to offende no bodie: wherein the nature of comelinesse is most thoroughlie seene. These things thē declared: I think it sufficientlie cōceiued, what thing that is, which we saye, becommeth.

But the dutie, ꝑ proceedeth of comlinesse, chiefly taketh thys way: which leadeth to ꝑ agreablenesse, and preseruation of nature, whom if we wil folow as gide, we shall neuer go amisse, & shal folowe both ꝑ, which hath in it wittinesse, & thoroughsight by nature: & ꝑ, which is agreable for ꝑ felowship of mē: & that, which is earnest, and manlie. But the greteſt effect of cōelines stāndeth in this part of vertue,

Nam negligere quid de se quisq; sentiat, non solum arrogātis est, sed etiā omnino dissoluti. Est autē ꝙ differat in hominū ratione habē da, inter iustitiam & verecundiā. Iustitiæ partes sunt nō violare homines: verecūdiæ nō offendere: in quo maxime perspicitur vis decori. His igitur expositis quale sit id, quod decere dicimus, intellectum puto. Officium autem quod ab eo ducitur, hanc primum habet viam, q̄ deducit ad conuenientiam, conseruationemq́ue naturæ: quam si sequemur ducem, nunquam aberrabimus, sequemurq; & id, quod acutum & perspicax natura est, & id quod ad hominum consociationem accommodatum est, & id quod vehemens atq; forte. Sed maxima vis decori in hac inest parte,

de qua disputamus. Neq; n. solũ corporis qui ad naturã apti sunt, sed multo etiam magis animi motus probãdi, qui item ad naturã accõmodati sũt. Duplex est enĩ vis animorum atq; naturæ. Vna pars in appetitu posita est, q est, ὁρμὴ græce, quæ hominẽ huc & illuc rapit. Altera in ratione, quæ docet & explanat, quid faciẽdum fugiẽdumué sit. Ita fit vt ratio præsit, appetitus obtemperet. Omnis autẽ actio vacare debet temeritate & negligentia. Nec vero agere quicq; cuius non possit causam probabilẽ reddere. Hæc est enim fere descriptio officij. Efficiendũ autem est, vt appetitus rationi obediant: eamq; neq; præcurrãt, propter temeritatem, nec propter pigritiam aut ignauiã deserant: sintq́ tranquilli,

wherof we now treat. For not onely the mouings of ỹ bodie, which agree to nature are to be alowed: but much more the motions of the minde, that likewise be agreable to nature, or to be commended.

For the power of ỹ mind, and of nature stands in two partes. The one is placed in appetite, which in greeke is ὁρμὴ: and this hither, and thither hal eth a man: ỹ other hath place in reason which teacheth, and sheweth plainlie, what is to be done, and what to be refused. So falleth it, ỹ reason ruleth, and appetite obeyeth. But al our doinges must be without rashnesse, and negligence: neyther ought a manne to doo any thyng, whereof he is not able to render a prooouable cause. For thys in a maner is the definition of dutie. But we must bring to passe that our appetites obaye reason: and neyther runne before it, neither for slouth, or dastardlinesse, dragge behind it: and ỹ they be quiet,

and

and voide of all sturre, and trouble of the mynde. Wherby all stedfastnesse, & measurablenesse shall appere in sight. For appetits, which go ouerfarre astray: and (as it were) ouerhotte either in longing after thinges, or in fleeing from thinges, bee not stayed inough by reason: these woute doubte exceede their boundes and measure. For they forsake, and set aside obedience: nor yet doo yelde to reason, wherunto they be made subiect by ye law of nature. By such motions not onely mens mindes bee troubled, but also their bodies. We may se it in the very faces of the angrie: or of them, who either with any lust, or wyth feare be sturred, or in ouermuch pleasure do reioyce: for therewith the countenance, voice mouing, and resting of thē all is chaunged: Of which thynges thys is gathered (to the intent wee may returne to the fourme of dutie) that all appetites ar to be pulled in, and assuaged:

atq; omni animi perturbatione careant, ex quo elucebit omnis constantia, omnisq; moderatio. Nā qui appetitus longius euagantur, & tanquam exultātes siue cupiendo, siue fugiendo non satis à ratione retinentur hi sine dubio sinē & modū transeunt. Relinquūt enim & abiiciunt obedientiā, nec rationi parent, cui sunt subiecti lege naturæ. A quibus non modo animi perturbantur, sed etiam corpora. Licet ora ipsa cernere iratorum, aut eorum, qui aut libidine aliqua, aut metu commoti sunt, aut voluptate nimia gestiunt: quorum omnium vultus, voces, motus, status q; mutantur. Ex quibus illud intelligitur (vt ad officij formam reuertamur) appetitus omnes contrahendos, sedandosq; esse:

excitãdamq; animaduersionẽ et diligẽtiã, vt ne quid temere, ac fortuito inconsiderate negligẽterq; agam⁹. Neq́ue.n. ita generati à natura sum⁹, vt ad ludũ et iocũ facti esse videamur, sed ad seueritatẽ poti⁹, et ad quædã studia grauiora, atq; maiora. Ludo autẽ et ioco vti illis quidẽ licet: sed sicut somno et quietib⁹ cæteris, tũ cũ grauib⁹ serijsq; rebus satisfecerimus. Ipsũq; genus iocandi non profusũ, nec immodestũ sed ingenuum, et facetũ esse debet. Vt enim pueris non omnẽ licẽtiã ludendi dam⁹, sed eã, q̃ ab honestatis actionib⁹ nõ sit aliena: sic in ipso ioco aliquod ꝓbi ingenij lumẽ eluceat. Duplex õnino est iocãdi gen⁹. Vnũ illiberale petulãs, flagitiosũ, obsœnũ. Alterũ elegãs, vrbanũ, ingeniosũ, facetũ, quo genere non modo Plautus noster,

and that we must take good heede, and diligence, ꝑ wee do nothing rashlie, & venturouslie, nor vnaduisedly, and negligently. For we be not to thys end engendred of nature, ꝑ we should seme to be created for plaie, and iest: but we be rather borne to sagenes, & to certein grauer, & greater studies. Yet we may lawfully vse iestig and pastime: but euẽ as we do slepe, and other restings at such time, as we haue sufficiently ended graue, & ernest causes. And the very maner of our iesting muste not be to large, nor vnsober but honest, and pleasaunt. For as we giue not childrẽ al maner libertie of plaieng but such as swarueth not from honest exercises: so in our verpiesting let ther appeare some light of honest witte. To be shorte, after twoo sortes is the maner of iestyng: the one, vnhonest, rayling, hurtfull, bawdye, the other, fyne, ciuill, wittie, pleasaunt. Wyth the which kinde, not onelye our Plautus,

and

and the olde comedie of the Attikes, but also the bookes of Socratical philosophers be well stored: and ther be of manie men many merie said sawes: as those, ꝓ of old Cato be gathered, which be called ἀποφθεγματα Easie therfore is the difference betweene honest, and vnhonest iesting. The one is meete for an honest man, if it be done in season, and with a light hert: the other, meete for no man, if ꝓ vncleanlinesse of the matter be encreased with filthynesse of wordes.

Also in pastime, ther is a certein measure to be kept: that we be not therein all together excessiue, and puffed vp with pleasure, fal into some dishonestie. But both our Martial feride, & also our exercises of hunting do find vs honest examples of pastime.

But it belonges to the holie discourse of dutie, euermore to haue in minde, how farre mannes nature exceedeth the nature of beastes.

For

& Atticorum antiqua comœdia, sed etiã philosophorũ Socraticorũ libri referti sunt multaq́, multorũ facete dicta: vt ea, q̃ a sene Catone sunt collecta, quæ vocant ἀποφθεγματα. Facilis igitur est distinctio ingenui et illiberalis ioci. Alter est si tempore fit, ac remisso animo homine libero dignus Alter ne homine quidẽ, si rerũ turpitudini adhibetur verborũ obscœnitas. Ludẽdi etiã est quidã modus retinẽdus, vt ne nimis omnia profudamur, elatiq́, voluptate in aliq̃ turpitudinẽ dilabamur. Suppeditant autẽ et campus noster, & studia veriandi, honesta exempla ludẽdi. Sed pertinet ad omnẽ officij quæstionẽ sæpe in promptu habere, quantum natura hominis pecudibus reliquisq́ bestijs antecedat.

Illæ enim nihil sentiunt nisi voluptatem, ad eamque feruntur omni impetu.

Hominis autem mens, discendo alitur, & cogitando semper aliquid aut inquirit, aut agit: videndiq; & audiendi delectatione ducitur.

Quin etiã si quis est paulò ad voluptates propensior, modo ne sit ex pecudum genere (sunt enim quidam homines non re sed nomine) sed si quis est paulò erectior, quamuis voluptate capiatur, occultat & dissimulat appetitũ voluptatis, propter verecundiam. Ex quo intelligitur corporis voluptatem non satis esse dignã hominis præstantia, eamq; cõtemni & reiici oportere. Sin sit quispiam, qui aliquid tribuat voluptati, diligenter ei tenendum esse eius fruendæ modũ. Itaq; victus,

For they feele nothing but pleasure, and therunto be caried with their hole sweygh: but mannes witte is fedde with learning: and by studieng either sercheth, or doth alwaies somwhat: and is ledde with the delite of seeing, and hearing. yea moreouer if ther bee any somewhat with the moste enclined to pleasures: so he be not of the beastlie kinde: (for some there be not men in dede, but in name) but if there be any man, that is somewhat more vpright in minded: though with pleasure he be caught, he hydeth, and dissembleth hys appetite of pleasure, for verie shamefastnesse. Wherof it is soone perceiued, ỹ pleasure of ỹ bodie is not worthie to be matched with the excelence of man: and that it ought to be despised, and reiected. But if ther be any manne, who sommedeal yeeldeth vnto pleasure: he must verie warelie keepe a measure, in enioyeng the same.

And therfore let ỹ feeding, and

and apparailing of ẏ bodie be referred to helth, and strength, not to voluptuousnesse. And therto if we will consider, what an excelence, and a dignitie ther is in nature: we shal vnderstande, how fowle it is to ouerflowe in ryotte, and lyue deliciousely, and wantonlie: and howe honest it is, to leade our life sauinglie, chastelie, sagelie, and soberlie.

We must vnderstand also that we be cladde by nature (as it were) with two persons: wherof the one is cōmune, bicause we al be partakers of reason; and the preeminence, whereby we surmounte beastes: from which reason, all honestye, and comelinesse is deryued: and out of the which, the waye of finding dutie is sought: the other is that, which properlie to echman is assigned.

For as in bodies there bee great differences (for some we see passe other in swiftnesse to runne, somme in strength to wrastle, & likewise

cultusq́, corporis ad valetudinē referātur, & ad vires, non ad voluptatem. Atq́ue etiā si considerare volemus, quæ sit in natura hominis excellentia, et dignitas, intelligimus quā sit turpe diffluere luxuria, et delicate ac molliter viuere: quamque honestū parce, continenter, seuere, sobrie. Intēlligendum etiam est duabus quasi nos à natura indutos esse personis. Quarū vna est cōmunis ex eo, q̄ omnes participes sum⁹ rationis, præstantiæq́ eius, qua antecellim⁹ bestijs: à qua omne honestū, decorūq́ trahitur: et ex qua ratio inueniendi officij exquiritur. Altera autē, q̄ propriè singulis est attributa. Vt. n. in corporibus magnæ dissimilitudines sūt, (alios enim videm⁹ velocitate ad cursū, alios virib⁹ ad luctādū valere

itemq; in formis alijs dignitatē ineſſe, in alijs venuſtatem) ſic in animis exiſtunt etiam maiores varietates. Erat in L. Craſſo, et in L. Philippo multus lepos: maior etiam, magiſq; de induſtria in C. Cæſare Lucij filio. At iſdē temporibus in M. Scauro, & in M. Druſo adoleſcente ſingularis ſeueritas: in C. Lælio multa hilaritas: in eius familiari Scipione ambitio maior, vita triſtior. De græcis autem dulcē et facetū, feſtiuiq; ſermonis atq; in omni oratione ſimulatorem, quē εἰρωνα græci nominauerūt. Socratē accepimus. Contra, Pythagoram & Periclem ſummam authoritatē conſecutos ſine vlla hilaritate. Callidum Hannibalem ex Pœnorum: ex noſtris ducib⁹. Q. Maximum accepimus, facile cælare, tacere, diſſimulare,

wiſe in faces, ſome haue a portlie looke, ſome an amiable neſſe) ſo alſo in mindes there be farre greater diuerſities.

Ther was in Lucius Craſſus, and Lucius Philippus much pleaſauntneſſe: but greater & more of ſette purpoſe, in Caius Ceſar, Lucius ſonne. And at thoſe daies, in Marcus Scaurus, and in Marcus Druſus the yongman, there was a ſingular grauitie: in Caius Lelius, much mirth: in Scipio his familiar, both greater honour ſeeking, and a ſadder life.

But of the Grecians, Socrates, we haue heard, was pleaſant, & feate conceited, a merie talker, & in al his words a mocker, whō the Greekes named εἰρωνα: cōtrariwiſe, Pithagoras, & Pericles attemed very high authority, wout any mirth at al. Of the Penes, Annibal was crafty: of our captens Quintus Maximus, we haue herd ſay, had a maruailous conning in cloking, in keping in, in diſſebling, in ma-

king

king a stale, in preuenting the deuises of the enemye. In which kind, ẏ Greekes before all other do preferre Themistocles the Atheniã, and Jason the Pheraian. And chiefly the suttle, and craftie dede of Solon: who ẏ both hys life should be ẏ safer, & somewhat the more he might furder the comon weale, fained himself to be mad. There be other farre vnlyke to these, plaine and open: which doo thinke nothing in secrete, nothing w̃ gyle, meete to be wrought: & be louers of trouth, and enemies to disceite. And again, there be other, who would any thing endure, & do seruice to any manne: so they might obtein that, they desire: as we did see Silla, and Marcus Crassus vse them selues. Of whych sorte, we haue herd, Lysander the Lacedemonian, was the suttellest, & coulde moste abyde. And contraryewyse, of Callicratides: who was admirall of the nauie, nexte after Lisander.

insidiari, præripere hostium consilia. In quo genere Græci Themistoclẽ Atheniensem, et Phæræum Iasonẽ cæteris anteponũt in primisque versutũ & callidũ factum Solonis: qui quo et tutior vita eius esset, et plus aliquanto Reip. prodesset furere se simulauit. Sunt his alij multum dispares, simplicis & aperti, qui nihil ex occulto, nihil ex insidijs agendum putant, veritatis cultores, fraudis inimici. Itemq; alij, qui quiduis perpetiantur, cuiuis deseruiãt dum quod velint, consequantur: vt Syllam, et M. Crassum videbamus.

Quo in genere versutissimũ et pætientissimum Lacedæmonium Lisandrũ accepimus: contraq; Callicratidem, qui præfectus classis proxim' post Lysandrũ fuit.

And

Itemq́, in sermonibus alium quidem videmus, quanuis præpotens sit, efficere, vt vnus de multis esse videatur q̃ in Catulo et in patre et in filio, itemq́, et in Q. Mutio Mancino vidim⁹. Audiui ex maioribus natu hoc quidẽ fuisse in P. Scipione Nasica: contraq́, patrẽ eius, illũ qui Tiberij Gracchi conat⁹ perditos vindicauit, nullã comitatẽ habuisse sermonis: ne Xenocratẽ quidem seuerissimum philosophorum: ob eamq́, rem ipsam & magnũ & clarum fuisse. Innumerabiles aliæ dissimilitudines sunt naturæ, morumq́, minime tamen vituperandorum. Admodũ autẽ tuẽda sunt sua cuiq́, non vitiosa, sed tamen propria, quo facilius decorum illud, quod quærimus, retineatur. Sic enim est faciendũ, vt contra

And lykewise we see an other man in talke, though he be of great autoritie, so order the matter, that he seemes one of the common sort. Which in Catulus, both the father and the sõne and the same in Quintus Mutius Mancinus, wee haue seene. I haue hearde moreouer of mine elders, the same to haue been in Publius Scipio Nasica. And contrariwise, his father, euẽ him that auenged Tiberi⁹ Gracchus wicked enterprises, to haue had no gentle grace of speeche. Nonor Xenocrates, who was the sagest of the Philosophers, and for the selfsame thing became greate, and famous.

Innumerable other diuersities ther be of nature, & of maners, nodeal yet dispraysable. But euerymans owne giftes, not such as be faulty, but natural, ar ernestly to be mainteined, wherby the sooner may that cõelinesse be kepte, which wee do seeke. For in such wyse we must worke, as against

all

all nature we neuer striue: which thing auoided, let vs follow our owne proper nature. So that though ther be other studies grauer, and better: yet let vs measure our owne, by natures rule. For neyther is it to any purpose to fyght against nature, nor to ensue any thing that we can not atteine. Wherupō it more apperes, what maner of thyng this comelynesse is: because nothing becommeth, *mawger Minerua*, as they say: that is, nature withstanding, & resisting it.

In dreeke, it ought bee comely, of trouth ther is nothing more seemely: than an euennesse in all a mans life, and euery of his doinges: which you can not keepe, if you counterfette an others nature, and lette passe your owne. For as we ought to vse that speche, whiche is knowne to vs: lest as some menne chopping in Greeke wordes, we bee worthely mocke at: so in our doinges and all our life, we ought to showe no contrariete.

naturā vniuersā nihil contendamus. Ea tamen conseruata propriā naturā sequamur: vt etiā si sint alia grauiora, atq; meliora, tamē nos studia nostra naturæ regula metiamur. Neq; enim naturæ attinet repugnare, nec quicquā sequi, quod assequi nequeas. Ex quo magis emergit quale sit decorum illud: ideo quia nihil decet inuita (vt aiūt) Minerua, id est, aduersante et repugnante natura. Omnino si quicquā est decorum, nihil est profecto magis quàm æquabilitas vniuersæ vitæ, tū singularū actionū: quā conseruare nō possis, si aliorū naturā imiteris, omittas tuā. Vt enim sermone eo debemus vti, qui notus est nobis, ne (vt quidam) græca verba inculcātes, iure optimo irrideamur: sic in actiones, omnēq; vitam nullā discrepantiā conferre debemus.

Atq; hæc differentia naturarũ tantã habet vim, vt nõ nunquã mortẽ sibi ipsi consciscere alius debeat, alij in eadẽ causa debeat. Nũ enim alia in causa M. Cato fuit, alia cæteri, qui se in Africa Cæsari tradiderunt? Atqui cæteris forsitan vitio datum esset si se intermisissent, propterea quod lenior eorũ vita, & mores fuerũt faciliores. Catoni autẽ, cũ incredibilem tribuisset natura grauitatem, eamq; ipse perpetua cõstantia roborauisset, semperq; in proposito, suscetoq; consilio permansisset, moriendum potius quã tyranni vultus aspiciẽdus fuit. Quàm multa passus est Vlisses in illo errore diuturno, cũ et mulieribꝰ (si Circe et Calypso mulieres appellãdæ sũt) inseruiret, et in omni sermone omnibꝰ affabilẽ & iucũdum se esse vellet?

And this difference of natures hath so greate a power: that otherwhile some one man ought to kyll him selfe, some other in the same quarell ought not. For Marcus Cato was not in one quarell, and the reste in another, who yelded thẽ selues vnto Cesar in Africa. Yet to the reste perchaunce it shoulde haue been counted a reproche, if they hadde slayne them selues: bycause their life hadde been dearer, and their maners milder: but when nature had geuen Cato an vncredible grauitie, and the same he had strengthened with a cõtinuall stedfastnesse: and alwayes had remained in his intẽt, and determined purpose: it was meete for hym rather to dye, than to looke vpon the tyrauntes face.

How many paines susteyned Vlisses, in that longe wandering? when bothe to women he dyd seruice (if Circe, and Calypso are to bee named women) and to all men in all his talke he woulde be faire spoken:

and

and also at home dyd beare the spight of the slaues, and mefes: that he might once attein to the thing, whiche he desired. But Aiax, with the cozage, that he is repozted of, had rather die a thousand deathes, than to suffer those thynges of an other man. Which diuersities whē we beholde: it shal be necessary to wepe, what eche mā hath of his owne: and to ozder those giftes: and not to haue a minde to trye, howe other mens graces woulde become him. For that becommeth eche man, whiche is moste of all eche mannes owne. Let euery man therfore know his owne disposition: and let him make him selfe a sharpe iudge both of his vices, and of his vertues: lest players may seme to haue moze discretion thā we. For they do choose not the best enterludes, but the fittest for them selues. For who vpon their voices be bolde, they take Epigones, and Medea: who vpon gesture, do take Menalippa

domi vero etiam contumelias seruorum, ancillarumq; pertulit: vt ad id aliquando, quod cupiebat, perueniret. At Aiax, quo animo traditur, millies oppetere mortem, quam illa perpeti maluisset. Quæ contemplantes expendere oportebit, quid quisq; habeat sui, eaq; moderari, nec velle experiri quàm se aliena deceant. Id enim maximè quenq; decet, quod est cuiusque suum maximè. Suum igitur quisq; noscat ingenium: acremque se & bonorum & vitiorum suorum iudicem præbeat: ne scenici plus, quàm nos, videantur habere prudentiæ. Illi enim non optimas, sed sibi accommodatissimas fabulas eligunt. Qui enim voce freti sunt, Epigonos, Medumqui. Quæ gestu, Menalippam,

vel Clitẽneſtrã. Sẽper Rutilius, quẽ ego memini, Antiopã: non ſæpe Æſopus Aiacẽ. Ergo hiſtrio hoc videbit in ſcena, quod non videbit ſapiens vir in vita? Ad quas igitur res aptiſſimi erimus, in iis potiſſimũ elaborabimꝰ. Sin aliquando neceſſitas nos ad ea detruſerit, quæ noſtri ingenij nõ erũt, omnis adhibenda erit cura, meditatio, diligẽtia, vt ea, ſi nõ decorè, at quã minime indecorè facere poſſimus. Nec tã eſt enitendũ vt bona, quæ nobis data non ſunt, ſequamur, quã vt vitia fugiamus. Ac duabus his perſonis, quas ſupra dixi, tertia adiungitur, quã caſus aliquis vel tempus imponit. Quarta etiam, quam nobiſmet ipſis iudicio noſtro accommodamus. Nam regna, imperia, nobilitates, honores, diuitiæ, opes, eaq́ue, quæ ſunt his cõ-

and Clytemneſtra. Euermore Rupilius, whom I remember, tooke Antiopa: not often Eſopus toke Aiax. Shall a player then ſee this in the ſtage, that a wiſe man ſhall not ſe in his lyfe? We ſhall chiefly therfore labour in thoſe things, whereunto we ſhall be moſt apte. But in caſe neceſſitie ſhall driue vs ſometime to thoſe thinges, which ſhall not be for our diſpoſition: all care, ſtudie, and diligence, muſt be employed: that, if we do them not comely, yet with as lyttle vncomelyneſſe as may bee, neither ought we ſo muche to endeuour ourſelues to folow the vertues which be not geuen vs, as to flee vices.

And vnto theſe two perſons, whiche before I named, ther is a thirde perſon ioyned: which ſome chaūce, or time caſteth on vs. The fourth alſo is that, whiche we ſhal faſhiõ to our ſelues after our owne minde. For kingdomes, Empires, nobilitie, honour, riches, power, and thoſe, which be con-

trary

trary to these, being placed in fortunes hande, be ordered according to the times: but what persone wee our selues list to beare, proceedeth of our owne free wyll. And therfore some to phylosophie, some to the ciuill lawe, some to eloquence do apply them selues: and for the vertues, some haue a more minde to excel in one, and some in another: and whose fathers, or aunceters in any commendation haue been notable: the most part of theirs do studie in the same kinde of praise to excell: as Quintus Mutius, Publius sonne, did in the ciuil law: Africanus, Paulus sonne, in feats of armes. But diuers do adde some of their owne vnto those praises, that they receiued of their fathers: as this same Africanus with eloquence encreased the heape of his martial glorie: whiche selfe same Timotheus, Cononis sonne, did also: who, whē in praises of warre, to his father he was not inferiour, did ioyne to that commen-

traria, in casu sita, temporibus gubernantur. Ipsi autē quam personam gerere velimus, à nostra volūtate proficiscitur. Itaq; se alij ad philosophiam, alij ad ius ciuile, alij ad eloquentiā applicāt: ipsarūq; virtutū in alia alius mauult excellere. Quorū vero patres aut maiores aliqua gloria prestiterunt, hi studēt plerunque eodem in genere laudis excellere: vt Q. Mutius P. filius in iure ciuili: Pauli filius Africanus in re militari. Quidā autē ad eas laudes, quas à patribus acceperunt, addunt aliquà suam: vt hic idem Africanus eloquētia cumulauit bellicam gloriā. Quod idem fecit Timotheus Cononis filius: qui cum belli laudi non inferior fuisset quàm pater, ad eam laudem doctrine &

in genij gloriam adiecit. Fit autẽ interdũ, vt nonnulli omissa imitatione maiorũ, suũ quoddã institutũ consequantur: maximeq; in eo pleruńq; elaborant ij, qui magna sibi proponunt, obscuris ortis maioribus. Hæc igitur omnia cũ quærimus quid deceat, complecti animo & cogitatione debemus. In primis autẽ cõstituẽdũ est, quos nos et quales esse velimus, et in quo genere vitæ: quæ deliberatio est omniũ difficillima. Ineunte enim adolescentia, cui inest maxima imbecillitas cõsilij, tũc id sibi quisq; genꝰ ætatis degẽdæ constituit, quod maximè adamauit. itaq; ante implicatur aliquo certo genere, cursuq; viuendi, quàm potuit quod optimum esset iudicare. Namque Herculem Prodicus dicit, vt est apud Xenophontem,

dacion the glorye of witte, and lerning. But it so faileth now and thẽ: that some letting go the imitacion of their aunceters, do folow a certeyn trade of ther owne: and therin, for the most part they chiefely trauaile: who appoint them selues greate enterpryses, being borne of scace knowne parentes. In our minde, and thought, then we must caste all these thynges, when we serche to knowe, what becommeth. But first of all we must determine, whom, & what maner men we wolde haue our selues, and of what kind of life. Which aduisemẽt is the hardest of al. For at the entring into the yeres of discretion, when ther is moste slendernesse of coũsell, euery mã doth appoint him selfe the trade of leading his life, which he hath loued most of all: and so he is entangled with some certeine kinde, & course of lyfe: before he was able to iudge, what should be best. For wheras Prodicus saythe, that Hercules (as is in Xenophon)

as

as soone as he waxed whey berded, which time is graũted of nature, to chose, what waye of lyuyng eche man wyll enter: went forth into deserte: and there sitting, much, and a long while douted with him selfe, when he behelde two wayes, the one of plesure, the other of vertue: whether of them it wer better to enter: this might perauẽture happen to Hercules, that was borne of Jupiters seede: but not so to vs, who do folow those, that euery one of vs list to folowe, and bee allured to theyr studies, and fashions. And for the most parte, being traded with our parẽts precepts, we encline to their gyse, and maner. Other bee caried after the iudgement of the multitude: and long after those thynges moste, which to the greater parte seeme goodlyeste. Many neuerthelesse, whether of a certein lucke, or of a goodnesse of nature, or by the instruction of their parentes, haue folowed ẏ right trade of life.

cũ primum pubesceret (quod tẽpus à natura ad deligendũ quã quisq; viã viuẽdi sit ingressurus, datũ est) exisse in solitudinẽ, atq; ibi sedentem diu secũ, multũq; dubitasse, cum duas cerneret vias, vnã voluptatis, alteram virtutis, vtram ingredi melius esset. Hoc Herculi Iouis satu ædito potuit fortasse contingere: nobis non idem, qui imitamur quos cuiquẽ visum est, atq; ad eorũ studia, institutaq; impellimur. Plerunquẽ autem parẽtum præceptis imbuti ad eorum consuetudinem, moremq; deducimur. Alij multitudinis iuditio feruntur, quæq; maiori parti pulcherrima vidẽtur, ea maximè exoptãt. Nõnulli tamẽ siue fœlicitate quadã, siue bonitate naturæ, siue parentũ disciplina, rectam vitæ secuti sũt viam.

Illud autẽ maximè rarũ genus eorũ, qui aut excellente ingenij magnitudine, aut præclara eruditione, atq; doctrina, aut vtraq;, re ornati, spatiũ etiã deliberãdi habuerũt, quẽ potissimũ vitæ cursum sequi vellẽt. In qua deliberatione ad suã cuiusque naturã consiliũ est omne reuocandũ. Nã eũ in omnibus, quæ aguntur, ex eo modo quo quisq; natus est (vt supra dictũ est) quid deceat, exquirimus, tũ in tota vita constituẽda, multo est rei cura maior adhibenda, vt constare in vitæ perpetuitate possimꝰ nobismetipsis, nec in vllo officio claudicare. Ad hanc autem rationẽ quoniã maximã vim natura habet, fortuna proximam, vtriusq; omnino ratio habẽda est in diligendo genere vitæ: sed naturæ magis. Multo enim & firmior est & constantior:

But that kinde of men is seldomest founde: who after they bee eyther of excellent profoundenesse of witte, or of a famous learnyng, and knowledge, or with bothe these adourned, haue got a time to take aduisement: what race of lyfe they wold the ratheſt runne: in the which aduise, all a mannes councell is to be applyed to eche mans proper nature. For sithens in all thynges, that be done, out of that nature, wherewith euery man is borne (as before is sayd) we serch, what becommeth then, in pointyng out the hole lyfe, much more regard therof must bee hadde: that in the continuing of our life we may agree with our selues, and neuer haulte in any dutie.

But to this choyse, seing nature hathe the greatest power, & fortune the next: ther must consideration bee had of them both alwayes, in choosyng the kynde of ones lyfe: but of nature, more. For nature is muche the surer, and the stedfaller:

so that

so that fortune many times, as mortal her selfe, seemeth with immortall nature to fight. Who so then wyl apply all the purpose of his life according to the kynde of his nature not corrupted, let him keepe a stedfastnes: for that becommeth most of all: excepte perchaunce he shall perceiue, that he hath gone amisse, in choosing his kinde of life. Which if it befall (as it maye befal) there must be made a chaunge of maners, & purposes. That chaunge then, if time shall further, we shal the sooner, and more conuenietly bring to passe: if not, faire & softly, and by little and little it must be done: like as frendshippes, which do not delite vs, and are not well lyked, wisemen do iudge more cõuenient, stitch after stitch to rip, than sodenly to cutte a sunder. And when we haue ons chaunged our kynd of life: we must by all meanes take heede, that wee bee thought to haue done it vpon good aduisement.

But forasmuch as a little

vt fortuna nonnunquam tãquam ipsa mortalis cum immortali naturæ pugnare videatur. Q. uirgilius ad naturæ suæ non vitiosæ genus, consilium viuendi omne cõtulerit: ijs constantiam teneat. Id enim maximè decet, nisi forte se irrãsse intellexerit in delegendo genere vitæ. Q uod si acciderit (potest autẽ accidere) faciendæ morũ, institutorũq; mutatio est. Eam mutationem si tempora adiuuabũt: facilius commodiusq; faciemus: sin minus, sensim erit, pedetentimq; faciendæ: vt amicitias, quæ minus delectent, & minus probentur, magis decere censent sapientes, sensim dissuere quàm repentè præcidere. Comutato autẽ genere vitæ omni ratione curandum est, vt id bono consilio feciſſe videamur. Sed quoniam paulo

ante dictũ est imitandos esse maiores, primũ illud exceptũ sit, ne vitia sint imitãda: deinde si natura non feret, vt quædã imitari possint: vt superioris Africani filius, qui hũc Paulo Aemilio natum adoptauerat propter infirmitatẽ valetudinis, non tam potuit patri similis esse, quàm ille, qui fuerat sui. Si igitur nõ poterit siue causas defensitare, siue populũ concionibus tenere, siue bella gerere: illa tamẽ præstare debebit, quæ erũt in ipsius potestate, iustitiã, fidem, liberalitatẽ, modestiam, tẽperantiam: quo minus ab eo id quod desit requiratur. Optima autẽ hereditas à patribus traditur liberis, omniq; patrimonio præstãtior, gloria virtutis, rerumq; gestarum: cui dedecori esse, nefas & vitium iudicandum est. Et quoniam officia non eadẽ disparibus ætatibus tribuuntur,

before it is sayde, that we must folow our aunceters: first, be this excepted: that their vices are not to bee folowed: nexte, that we folow thẽ not in some things, that our nature wyll not beare: as the elder Africanus sõne, who adopted this our Paulus sonne, coulde not be so like his father, because of sickly weakenesse, as the other was like his. In case therfore one be not able eyther to pleade causes or to retein the people with orations, or to folowe the warres: those things yet he ought to perfourme, which shal lye in his power, as iustice, faithfulnesse, liberalitie, sobermoode, & tẽperãce: to thintent the thing, which he lackes, may bee the lesse missed in him. Trulye the best inheritãce that fathers leaue to their children, and more worth, thã al liuelode is the glory of vertue, and worthy dedes, wherunto to be a staine, it is to be accounted both vice, and shame.

And bicause not alike duties are assigned to vnlike ages:

ages, and some ther bee for yongmen, and some for the elder sort: somwhat also we haue to say of this diuersitie. It is therefore a yong mans part, to reuerence his elders: and of these to chose out the beste and moste commended: whose counsel, & authoritie he maye leane vnto. For the vnskilfulnes of tender yeres, must by old mens experience be ordered and gouerned.

And this age specially frō lustes is to be wayned: and to be brought vp in labour, and paines taking bothe of minde and body: that bothe in martiall, and ciuill duties, their diligēce may appeare Also when they wyll refreshe their wittes, and geue thē selues to pastime: let them beware of intemperāce, & remember shamefastnesse: which shalbe done the easlyer, if at such things also theyr elders wyll be in presence.

But for old mē, labours of ye body are to be diminished & exercises of the mind seme meete to bee encreased: and

aliaquē sūt iuuenū, alia seniorū, aliquid etiam de hac distinctione dicendū est: Est igitur adolescētis maiores natu vereri, ex hisq; eligere optimos & probatissimos: quorū consilio atq; authoritate nitatur. Incuntis enim ætatis inscitia, senū constituenda & regenda prudentia est. Maxime autē hæc ætas à libidinibus arcenda est, exercendaq; in labore, patientiaq; & animi & corporis, vt eorū & in bellicis & ciuilibus officijs vigeat industria. Atque etiam cum relaxare animos, & dare se iucunditati volēt, caueāt intēperantiā, meminerint verecūdiæ, quod erit facilius, si in eiusmodi quoq; rebus maiores natu interesse velint. Senibus autē labores corporis minuendi: exercitationes animi etiam augendæ videntur.

Dãda vero opera, vt et amicos & iuuentutem & maximè Rempub. consilio & prudẽtia quàm plurimũ adiuuent. Nihil autem magis cauendum est senectuti, quàm, ne languori se, desidiæq; dedat. Luxuria vero cũ omni ætati turpis, tum senectuti fœdissima est. Sin autem libidinũ etiam intemperãtia accesserit, duplex malum est: quòd & ipsa senectus concipit dedecus: & facit adolescentũ impudentiorem intemperantiam. Ac ne illud quidem alienum est, de magistratuum, de priuatorum, de ciuium, de peregrinorum officiis dicere. Est igitur proprium munus magistratus, intelligere se gerere personam ciuitatis, debereq; eius dignitatem & decus sustinere: seruare leges, iura describere, & ea fidei suæ commissa

and they muſt geue their diligence, that muche they aide their frendes, & youth, and ſpecially the common weale with counſel, & wiſdome. But nothing more of age is to be taken heede of, than that it geue not it ſelfe to itherneſſe and idleneſſe. As for riotte, to euery age it is reprochefull, and for olde age moſte ſhamefull. But if the intẽperance of luſte bee ioyned with it, ther is a double incõuenience: bicauſe bothe age ſelfe taketh ſhame by it, & it cauſeth yong mens intẽperãce to be more ſhameles.

And this truly is not out of the mater, to ſpeake ſomwhat touching the duties of magiſtrates, of priuate men, of citizens, and of ſtrãgers. It is therefore the proper office of a magiſtrat, to conſider, he repreſentes the perſon of the citie: and that he ought to maintene the honour, and reputacion therof: and to keepe the orders of the ſame, & to ſet out lawes fit therefore, & to remember, they be committed

to

to his charge.

A priuate man it behoues to liue in an equalitie, and likenesse of lawe with the citizens: neither as an vnderling, and abiect, nor beeing him selfe to hye: and also in the common weale to seeke those thinges, that be quiet, and honest. For such a one we are wont both to call and count a good citizen.

But it is the dutie of a stranger, and alien inhabytaunt: to meddle nothyng beside his owne byssinesse: nor to enquire anye thyng touching an other man: and no whit in a straunge common weale to be curious.

Thus, for the most parte, duties shall be founde out: when it shall bee sought, what becommeth, and what is agreable for persones, times, and ages. And ther is nothing, that becomes a man so muche: as in euerye doung, and taking of aduise to kepe a stedfastnes.

But bicause the same cõsistesse appeareth in al dedes and wordes, & in the mouing and

meminisse. Priuatum autem oportet æquo et pari cum ciuibus iure viuere, neque summissum et abiectum, neque se efferentem: tum in Repub, cauelle, quæ tranquilla & honesta sint. Talem enim et sentire bonum ciuẽ & dicere solemus. Peregrini autem & incolæ officium est, nihil præter suum negotium agere, nihil de alieno inquirere, minimeq; in aliena esse Repub. curiosum. Ita ferè officia reperientur, cum quæretur quid deceat, & quid aptum sit personis, temporibus, ætatibus. Nihil est autem quod tã deceat, quàm in omni re gerenda, consilioque capiendo seruare constãtiam. Sed quoniam decorum illud in ommbus factis et dictis, in corporis deniq; motu

& statu cernitur: idq; positũ est in trib⁹ reb⁹, formositate, ordine, ornatu ad actionem apto: difficilius ad eloquẽdũ, sed satis erit facile intelligi. In his autẽ tribus cõtinetur cura etiam illa, vt probemur ijs, quibus cũ, & apud quos viuamus. His quoq; de rebus pauca dicantur. Principio corporis nostri magnã natura ipsa videtur habuisse rationẽ: quæ formã nostrã, reliquamq; figuram, in qua esset species honesta, eam posuit in promptu: quæ autem partes corporis ad naturæ necessitatem datæ aspectum essẽt deformẽ habituræ atq; turpem formã eas contexit atq; abdidit. Hanc naturæ tam diligentẽ fabricã imitata est hominum verecundia. Quæ enim natura occultauit, eadem omnes, qui sana mente sunt, remouent ab oculis:

and stayeng of the bodye: & the same consisteth in three thinges, welfauourdnesse, order, and furniture meete for ones doynges (somwhat hard it is to expresse: but it shall suffice, so it be conceiued) & in these thre cõteined is that care also: that we be alowed of those, with whõ and among whom we liue: Of these matters likewise a fewe wordes let vs say.

Firste, verye nature seemeth to haue hadde a great respect of our bodie, whiche hath sette most in sight our physnomie, and the rest of our shape, wherein there is an honest showe: but she hath couered, and kept close the partes of the body, giuẽ for natures necessitie: which els shoulde haue an euilfauourd, and fowle sight.

Mennes shamefastnesse hath folowed this so connyng a frame of nature.

For what so nature hath hydden: the same all men, who bee well in theyr wittes: do kepe frõ the eye:

and

and they do theyr endeuour to serue very necessitie, as closely, as they may: and of what partes of the bodye the vse is seruile, neyther those partes, nor their seruice by their names they do call: and so, that, whiche to do it is no shame, if it be secretly, to tell it is vnclenly.

And therfore neither the open doing of those thinges is voyde of vnshamefastnesse: nor the talke without filthinesse.

Neither truly ar the Cinikes worthy to be heard, nor anye of the Stoikes, which are almost Cynikes: who do reprouc vs, & mock at vs: bycause we call those thinges, in wordes shamefull to be spokē vpon, which bee in deede not dishoneſt: and yet those thinges, that be vnhoneſt, we terme by their names. As to go a theuing, to begyle one, to cōmit aduoutry, is a thyng in deede dishoneſt: but it is tolde, without dishonestie: likewyse to get chyldren in dede is honeſt, but to be vttered in talk it wer vncleanly.

And

ipsíque necessitati dant operam, vt quàm occultissime pareant: quarumque partium corporis vsus sunt necessarij, eas neque partes, neque earum vsus suis nominibus appellant: quodq́, facere turpe non est, modo occulte, id dicere obscœnum est. Itaque nec actio rerum illarum aperta petulantia vacat, nec orationis obscœnitas. Nec vero audiendi sunt Cynici, aut si qui fuerunt Stoici penè Cynici, qui reprehendunt & irrident, quòd ea quæ returpia non sint, verbis flagitiosa dicamus: illa autem quæ turpia sunt, nominibus appellemus suis, latrocinari, fraudare, adulterari re turpe est, sed dicitur non obscœne: liberis dare operam re honestū est, nomine obscœnū.

pluraq́, in eã ſententiam ab eiſdem contra verecundiam diſputantur. Nos autẽ naturam ſequamur: et ab omni, quod abhorret ab ipſa oculorum auriumq́ approbatione, fugiamus. Status, inceſſus, ſeſſio, accubatio, vultus, oculi, manuũ motus teneãt illud decorum. Quibus in rebus duo ſunt maximè fugienda, nequid effœminatũ aut molle, & ne quid durũ, aut ruſticũ ſit. Nec vero hiſtrionibus, oratoribuſq́ concedendũ eſt, vt his hæc apta ſint, nobis diſſoluta. Scenicorum quidẽ mors tantam habet à vetere diſciplina verecundiam, vt in ſcenam ſine ſubligaculo prodeat nemo: verẽtur enim, ne ſi quo caſu euenerit, vt corporis partes quædam aperiantur, aſpiciantur nõ decore. Noſtro quidem more cum parentibus pubcres filij,

And mo thinges, for this purpoſe, be reaſoned by the layde phyloſophers, againſt ſhamefaſtnes. But let vs folow nature, & ſhonne all thinges, that abhorre the very pleaſing of our eye, & eare. Let our ſtandyng, going, ſitting, lying, there, eies and mouing of handes kepe that ſame comelynelle. In which thinges, two faultes we muſt ſpecially take hede of: that nothing womãiſhly, or deyntily, and nothyng blockiſhely, or carterly wee do. Neither muſt we agree, that theſe thinges ſhoulde be ſeemely in players, and orators, and lefte looſely in our ſelues. The cuſtome of the ſtageplayers, euen of an olde order, hath ſo great regarde to ſhamefaſtneſſe: that no man cõmeth on the ſtage without breches. For they are afeard: leſte, if it chaunce by anye miſhappe, that ſome partes of the body be diſcouered, they ſhall be ſeene vncomly. And as the faſhion is with vs: chil-dren growyng to mannes ſtate

state bee not bathed with their parentes, nor sonnes in law, with their fathers in law. Therfore this kynd of shamefastnesse is meete to be obserued, namely whē nature herself is gyde, and maistresse.

But wheras ther be two kinds of beautie: and in one of them ther is a louelines, in ẏ other, a maiesty: louelinesse, we must think lōgs to the woman, & maiesty to the manne. Therfore all maner trimming, that is vnsitting for manne, muste be kept from hys outward fourme, and the lyke faulte to thys must be takē heede of in ones gesture, and mouing. For bothe the sturring like wrastlers is often times mysliked: and also many gestures like plaiers ar not wythout foolyshe toyes, and in bothe these kindes, those thyngs which be right, and naturall, be commended. But the maiestie of the fauour is preserued by goodnesse of colour, and colour by exercises of bodie.

cum soceris quidem generi non lauantur. Retinenda est igitur huius generis verecundia, præsertim natura ipsa magistra & duce. Cum autem pulchritudinis duo genera sint, quorum in altero venustar sit, in altero dignitas: venustatem muliebrem ducere debemus dignitatem virilem. Ergo & à forma remoueatur omnis viro non dignus ornatus: & huic simile vitium in gestu, motuqúe caueatur. Nam & palæstrici motus sæpe sunt odiosiores: & histrionū non nulli gestus ineptijs non vacant: & in vtroqúe genere, quæ sunt recta & simplicia laudantur.

Formæ autem dignitas coloris bonitate, tuenda est, color exercitationibus corporis.

Adhibenda est præterea mūditia non odiosa neq; exquisita nimis: tamen q; fugiat agrestē et inhumanam negligentiam. Eadē ratio est habēda vestitus: in quo, sicut in plerisq; reb⁹, mediocritas optima est. Cauendū est autē, ne aut tarditatibus vtamur ingressu molliorib⁹ vt similes pomparū ferculis esse videamur: aut in festinationib⁹ suscipiam⁹ nimias celeritates: q; cū fiunt, anhelitus mouētur, vultus mutātur, ora torquētur: ex quibus magna significatio fit nō adesse constantiā. Sed multo etiā magis elaborādū est, ne animi mot⁹ à natura recedāt, q; assequemur, si cauebimus ne in perturbationes atq; exanimatiōes incidam⁹ et si attētos animos ad decori cōseruationē tenebim⁹. Motus autē animorum duplices sūt, alteri cogitationis

Ther must a clenlinesse be vsed besids: ẏ is not odious nor curious, but onely escheweth carterly, and vnnaturall slouenry. The like regard we must haue of apparail: wherin a meane, as in most parte of thinges is best. We must take heede also, we vse neither to nyce a slowenesse in our pase, like pageauntes in triumphes: neither to much haste in spede making, like wildbraines. For when it happens, that men doo so: ther folowes short breathing, ẏ countenance is changed, & the face disfigured: wherof comes a great presumption, that they haue no staiednesse.

But we must much more study, that the affections of our minde swarue not frō nature: whych we shall atteine, if we wyll beware, ẏ we fall into moodes, and mazes: & if we wil cōtinue in hauing heedfull mindes to the keping of cōelinesse. But the motions of mindes be of twoo sorts: some procede of intelligence, some

some of appetite. Intelligence is chiefly occupied in serching out of trouth: appetite stirreth a man to bee doing. We must prouide therfore: that we vse intelligence about the best matters: and that we make our appetite obedient to reason.

And because the power of speache is great, and the same is in twoo sortes: the one of vehement speche, the other of comon talk: let the vehement speche, serue for pleadings in iudgementes, orations in assemblies, and debating in the Senatehouse: let talke be vsed in companies in disputatiõs, in meetings of familiers: & let it also be at feastings. Of vehemẽt speche & Rhetoriciãs haue rules of talk none at al: notwithstanding I wotte not whether such also may be.

Howebeit for their studies, that will learne, ther be teachers found: but none ther be, that studie this: & the route of Rhetoricians all places be replenished.

alteri appetitus. Cogitatio in vero exquirendo maxime versatur: appetitus impellit ad agendum. Curandum est igitur vt cogitatione ad res quam optimus vtamur: appetitum rationi obedientem præbeamus.

Et quoniam magna vis orationis est, eaq; duplex: altera cõtentionis: altera sermonis: contentio disceptationibus tribuatur iudiciorum, concionum, senatus: sermo in circulis, disputationibus, congressionibus familiarẽ versetur: persequatur etiam conuiuia.

Cõtentionis, præcepta rhetorũ sunt multa, nulla sermonis: quanquam haud scio an possint hæcquoq; esse. Sed discentium studijs inuenitur magistri. Huic autem qui studiant, sũt nulli: rhetorum turba referta omnia.

Quanquam quæ verborũ, sententiarumquè præcepta sunt eadem ad sermonẽ pertinebunt. Sed cum orationis indicem vocẽ habeamus: in voce autem duo sequamur, vt clara sit, vt suauis: vtrũque omnino à natura petendũ est, verum alterum exercitatio augebit, alterũ imitatio presse loquentium & leniter: quod fuit aliud in Catulis, vt eos exquisito indicio putaris vti literarũ. (quanquam erant literati sed et alij) hi autem optime vti lingua latina putabãtur: sonus erat dulcis: literæ neque expressæ, neq; oppressæ ne aut obscurum esset aut putidum, si ne contentione vox, nec languens, nec canora. Vberior oratio L. Crassi, nec minus faceta. Sed bene loquendi de Catulis opinio non minor.

Neuertheleſſe ye ſame preceptes, which be of words, and ſentences, ſhall appertein to talke. But ſithens we haue our voice to vtter ſpeeche: and in voyce we ſeeke two things, that it be clere, and ſweet: they bothe ar to bee fetched from nature euermore: but exerciſe will encreaſe that one: imitation of treatable, and ſoft ſpeakers will help ye other. What was in the Catuli, ye ſhould ſuppoſe them to vſe a perfite iudgement in pronouncing of letters. Howbeit they were lerned: but ſo were other to: yet theſe were thought to vſe the latine tong beſt. Their ſounding was ſwete: their letters neyther to muche mowthed, nor drowned: leſt either it ſhould be vnherd, or ouer harſhe. Their voice was without ſtrayning, neither faint, nor ſhrill.

The ſpeeche of Lucius Craſſus was more plentyfull, and noleſſe featecõceited: but for wel ſpeking, that Catuli wer in as much eſtimation.

Ceſar

Cesar was sawced wyth mirth, and merie conceites: Catulus vnkle exceeded all: so that in that lawierly kinde of pleading, he with familiar speeche passed the vehemence of other. In all these therfore we muste labour, if in all we serch, what becommeth.

Let then this familiar talke (in which the Socratians moste excell) be gentle, and nothing obstinate: let ther be therin a pleasātnesse. ¶No nor let a man keepe out other, as though he wer entered into his owne possession: but as in other maters, so in common talke, he must thik an enterchaunged course oftentimes meete to be vsed. And let him see, first of all, of what matters he speake: if they be ernest, let him vse a sagenesse, if they be merie, a pleasantnes. Specially let him forese, that hys talke bewraye not some vice in his maners: which then chiefly is wont to befall: whē either in mockage, or ernest, men

Sale vero et facetijs Cæsar Catuli patris frater vicit omnes: vt in illo ipso forensi genere dicendi contentiones aliorū sermone vinceret. In omnib⁹ igitur his elaborādum est, si in omnibus quod decent exquirimus. Sit igitur hic sermo in quo Socratici maxime excellūt lenis, minimeq; pertinax: insit in eo lepos, nec vero tanq; in possessionem suā venerit, excludat alios: sed cū reliquis in rebus, tū etiā in sermone cōmuni, vicissitudine non nunq; vtendum putet. Ac vi deat in primis quibus de rebus loquatur: si seriys, seueritatem adhibeat: si iocosis, leporem. In primisq; prouideat ne sermo vitium aliquod indicet inesse in moribus, quod maxime tum solet euenire, cum studiosē de absētib⁹ detrahēdi causa

aut per ridiculũ aut seuerè, aut maledicè, cõtumelioseq́; dicitur. Habentur autẽ plerunq́; sermones, aut de domesticis negotijs, aut de Repub. aut de artium studijs et doctrina. Danda igitur opera est, vt etiã si aberrare ad alia cœperit, ad hæc reuocetur oratio. Sed vtcũq́; aderunt res (neq́; enim ijsdem rebus nec omni tempore, nec similiter delectamur) animaduertendũ est etiã quatenus sermo delectationem habeat; & vt incipiendi ratio fuerit ita sit desinendi modus sed quoniã in omni vita rectissime p̃cipitur, vt perturbationes fugiamus, id est motus animi nimios rationi non obtemperantes: sic eiusmodi motibus sermo debet vacare, ne aut ira existat, aut cupiditas aliqua: aut pigritia, aut ignauia,

do bysie thẽselues to speake raylingly, & spitefully of ẏ absent, to their sclaunder. But thys common talke, for the most part, is had either of household matters, or of the comon weale, or of learning, & teaching artes. We must therfore giue good heede: that when ẏ cõmunication begin to straye to other thyngs, to these it be returned: yea howsoeuer ẏ matter falles out, that is in hand. For neither all wyth one mater, nor at euery seasõ, nor alike we ar delited. We muste marke also, how farre our talke hath in it a likyng, and as ther was a way to begin it, so let ther be a measurable meane to ende it.

But because it is verye well taught: that in all our life we flee passions, ẏ is to saye vnmeasurable moodes of mynde not ruled by reason: likewyse our talke muste bee voyde of such moodes: leste eyther anger aryse, or somme greedinesse, or slouthfulnesse, or cowardelynesse,

or

ai some such thing appere. And most of all, we muste haue regard: that those to whom we kepe talke, we seeme bothe to reuerence, and to loue.

Chiding also manie times commes in place, as necessary: in which, one must vse praeduenture both a greater strayning of voice, and a sharper grauity of wordes. It must also be prouided: that we seeme not to doo those thinges, as irefull: but as phisicians do come to searing, and cutting: so let vs seldome, & vnwillingly fal to such maner of rebuking: and not at al, onlesse it bee of necessitie, when ther will be founde none other remedie.

But yet let it be clere without angre, wherwyth nothing rightly, nothyng discretely can be done.

And for the most parte, we may vse a gentle maner of rebuking, yet tempered to a grauitie, so as both a sowernesse be showed, and all spight refayned.

Yea & that same bitternes,

aut aliquid tale appareat. Maximeq; curandum est vt eos quibus cū sermonē conferim⁹, & vereri et diligere videamur. Obiurgationes etiam nonunq; incidunt necessarię: in quibus vtēdum est fortasse & vocis contentione maiore, & verborum grauitate acriore. Id agendū etiā est, vt ne ea facere videamur irati, sed vt ad vrēdū et secandū medici veniūt sic ad hoc gen⁹ castigādi ratio inuitiq; veniam⁹, nec vnquā nisi necessario, si nulla reperietur alia medicina. Sed tamen ita procul absit, cum qua nihil rectè fieri, nihil considerate potest. Magna autē ex parte clemēti castigatione licetuti, grauitate tamē adiuncta, vt & seueritas adhibeatur, et cōtumelia repellatur. Atq; etiā illud ipsū, quod acerbitatis

habet obiurgatio, significādum est ipsi id causa, qui obiurgetur, suscepti esse. Rectū est autē etiam in illis cōtentionibus, q̄ cū inimicissimis fiunt, etiam si nobis indigna, audiamus, tamē grauitatē retinere, iracundiam repellere. Q uæ enim cū aliqua perturbatione fiunt, ea nec constanter fieri possunt, nec ys qui absūt approbari. De forme etiam est de seipso prædicare, falsa præsertim, et cum irrisione audientiū imitari militem gloriosum. Et quoniā omnia persequimur (volumus quidē certe) dicēdum est etiam qualem hominis honorati & principis domum placeat esse: cuius finis est vsus, ad quē accommodanda est ædificādi descriptio: & tamen adhibenda dignitatis, commoditatisque diligentia.

which chiding hath in it, must be declared, to be vsed for his sake, who is chyded. It is good also, euen in those thinges, which bee made with our vttercst enemies, although we heare wordes vnmeete to be spoken to vs: to keepe yet a grauitie, and to suppresse ȳ angry moode. For those thinges, ȳ be wrought with any passion, neither can bee constantlie doone, nor allowed of those, that ar present. Euill fauourd also it is, to tell praises of a mans selfe, specially if they bee vntrue: and, with the mocking of the hearers, to resemble ȳ glorious souldiour.

And because we go thorough all matters, or at the least be minded so to do: we must tell also, what maner of house, it liketh vs, an honourable man, and a prince should haue. Whose end is the occupieng therof: according to the which, ȳ platte of ȳ buildig must be made: and neuertheless ther must respect bee had to a stateliness and handsommeness,

in the same. We haue herde say, it was an honour to Cneus Octauius, who the first of ỹ familie was made Consul: because in the palace, he had buylded a gorgeous house & full of statelinesse: which when people resorting thither had seene, was thought to further the matter, a man newly commen vp, to the attayning of the Consulshippe. Thys syd Scaurus pull downe, and enlarge the roume of his howses. And so Octauius into hys howse firste brought ỹ Consulshyp: this other a noble, and famous mans sonne, into his enlarged howse not onely brought repulse, but also a staine, and misere. For a mannes honour must be set out by hys howse, and not all hys honour sought by hys howse: nor by ỹ howse the mayster, but by the mayster the howse muste be honested. And as in all things els, regarde is to be hadde not of a mannes self onely, but of other also: likewyse a noble mannes howse, into

Cn. Octauio, qui primus ex illa familia Cõsul factus est, honori fuisse accepimus, quod præclarum ædificasset in Palatio & plenam dignitatis domum: quæ cum vulgo viseretur, suffragata domino nouo homini ad consulatum putabatur.

Hanc Scaurus demolitus accessionem adiunxit ædibus. Itaque ille in suam domum consulatum primus attulit: hic summi et clarissimi viri filius in domũ multiplicatam non repulsam solum retulit, sed ignominiam etiã et calamitatẽ. Ornanda enim est dignitas domo non ex domo dignitas tota querenda, nec domo dominus, sed domino domus honestanda est. Et vt in cæteris habenda ratio non sui solum sed etiam aliorum: sic in domo clari hominis,

in quam & hospites multi recipiendi sunt, & admittenda hominum cuiusque generis multitudo, adhibenda est cura laxitatis.

Aliter ampla domus dedecori domino sæpe fit: si est in ea solitudo, et maxime si aliquando alio domino solita est frequentari.

Odiosum est enim cum à prætereuntibus dicitur: O domus antiqua, heu quam dispari dominare domino.

Quod quidem his temporibus in multis licet dicere. Cauendum est autem, præsertim si ipse ædifices, ne extra modum sumptu & magnificentia prodeas: quo in genere multum mali etiam in exemplo est. Studiose enim plerique, præsertim in hanc partem, facta principum imitantur.

into the which both many geastes ar to be receiued, & a nomber of men of euerye sorte is to bee admitted: ther muste be made a prouisiō for roomethinesse. Otherwyse, a large howse prouceth to the mayster oftentimes a shame: if ther be in it a solitarinesse: and specially if once, with an other maister it was wont to bee well filled. For an odious thing it is, when of the byegoers it is sayd.

O auncient house, alas, we may see,
How vnlike a lorde hath lordship on thee.

Which a mā may truly say now a dayes of many. Ye muste beware also namely if your self be a builder, that beyonde measure, in sumptuousnesse, and great coste, you doo not exceede: in the whych kinde, euen of the ensample much harme aryseth.

For diligentlye moste menne, specyallie in thys poynte, doo folowe the doinges of princes: as, of Lucius

eius Lucullus, a singular manne, who enseweth the vertue: howe manie yet haue folowed the great costlynesse of hys manour places? In whych thynges ther must doutlesse be vsed a measure, that to a meankepyng muste be reduced: and the same meankeping must be referred to ỹ common vse, and countenance of the lyfe. But of these hitherto.

Vt Lucij Luculli summi viri virtutem quis? at quã multi villarum magnificentiam imitati sunt? quarum quidem certe est adhibend⁹ modus, ad mediocritatemqúe reuocandus: eademqúe mediocritas ad omnẽ vsum, cultumqúe vitæ referenda est. Sed hæc hactenus.

Now in euery deede, we take in hand, three pointes ar to be kept. First, that appetite obey reason: for nothing is meeter than ỹ, for ỹ maintening of duties. Next, that it be considered, how great a thynge it is, which we minde to bryngе to passe: that neither lesse, neyther more care, and paine be taken, than the case requireth. The thirde point is, that we haue an yie to vse a measure in those thinges, which perteine to an honest show, and seemly grace.

In omni autem actione suscipienda, tria sunt tenẽda. Primum, vt appetitus rationi pareat: quo nihil est ad officia conseruanda accommodatius. Deinde vt animaduertatur quanta illa res sit, quam efficere velim⁹, vt neue maior, neue minor cura & opera suscipiatur, quàm causa postulet. Tertium est, vt caueamus, vt ea quæ pertinent ad liberalitatis speciem dignitate moderãta sint. Modus autẽ est optim⁹ decus ipsũ tenere.

The beste measure is to keepe the very seemlinesse, wherof

de quo ante dixim' nec progredi longius. Horum autē triū præstantissimū est, appetitum obtēperare rationi. Deinceps de ordine rerum, & temporum opportunitate dicendum est. Hac autem scientia continetur ea, quā græci ενταξία, nominant non hæc, quam interpretamur modestiam, quo in verbo modus inest: sed illa est ενταξία in qua intelligitur ordinis conseruatio itaqúe vt eandem nos modestiam appllemus, sic definitur à Stoicis. Vt modestia sit scientia earum rerum, q; aguntur aut dicūtur loco suo collocādarū. Itaqúe videtur eadem vis ordinis & collocationis fore.

Nam & ordinem sic definiunt: compositionem rerum aptis & accommodatis locis. Locum autē actionis,

wherof we spake before: & not to passe those boundes. But of these thre ẏ chiefest is, that appetite obey reason.

Hereafter touching order of thinges & opportunitie of times, we haue to say. And thys knowledge conteineth ẏ, which ẏ Greekes do name ενταξία: not this, which we interpret *Modestia*: in ẏ which word *Modus* is comprehended.

But that is ενταξία wherin is ment a keping of order. And therfore that we may cal the same *Modestia* thus it is defined of the Stoikes: ẏ *Modestia* (ẏ is to saye) discrecion is the knowledge of setting those thinges, which ar done, or said, in their proper places. And so of order, & placyng ther seemes to be all one propertie. For thus also they define order to bee a framing of things in apte, and conuenient places. And place they say, concerneth

neth the doing, opportunitye the time. And time conuenient for the doing, in Greke εὐκαιρία, in Latine is called *Occasio*. So falleth it, þ this discrecion, which we interpret, cuē as I sayde, is the knowledge of opportunitie of fit scasō to do a thing.

But the same definition may be of prudence: wherupon we treated in the beginning. But in thys place we serche after measure keping, and temperance, and other like vertues. Therefore, what were the properties of prudence, in theyr place we haue spoken. But what properly belonges to these vertues, wherof here we haue begonne to speake which pertein to shamefastnesse, & to their liking, with whō we liue we must now declare.

Such an order therefore in our doings is to be vsed: that as in an oration well builded, so in mans lyfe all thynges be accordant, and agreable togither.

opportunitatē tēporis esse dicūt. Tēpus autē actionis opportunum grace εὐκαιρία *latine appellatur occasio. Sic fit vt modestia, hæc, quā interpretamur (ita vt dixi) scientia sit opportunitatis idoneorū ad agendū temporū. Sed potest cadē esse prudētiæ definitio, de qua principio dixim⁹. Hoc autē loco de moderatione, & tēperātia, et harū similib⁹ virtutibus quærimus. Itaq; q. erant prudentia propria, suo loco dicta sunt. Quæ autem harum virtutum, de quibus iamdudum loquimur, quæ pertinent ad verecundiā, & ad eorū approbationē, quib⁹ cū viuimus, nunc dicenda sūt. Talis est igitur ordo actionū adhibēdus: vt quemadmodum in oratione constanti, sic in vita omnia sint apta inter se et conuenientia.*

For

Turpe est .n. valdeq; vitiosũ in re seuera, conuiuio dignũ aut delicatũ aliquẽ inferre sermonẽ. Bene Pericles cum haberet collegã in prætura Sophoclẽ poetã, hiq; dẽ communi officio cõuenissent, & casu formos⁹ puer præteriret dixissetqúe Sophocles: O puerũ pulchrũ Pericle: Pericles ait. At enim pretorẽ Sophocle decet nõ solũ man⁹ sed etiam oculos abstinentes habere. Atq; hoc idẽ Sophocles si in Athletarũ approbatione dixisset, iusta reprehensione caruisset. Tãta vis est et loci, et tẽporis: vt si quis cũ causã sit acturus, in itinere, aut in ambulatione secũ ipse meditetur, aut si quid aliud attentius cogitet, non reprehendatur: at hoc idem si in conuiuio faciat, inhumanus videatur, inscitia tẽporis. Sed ea quæ multum ab humanitate discrepant,

For a fowle hearing it is, and verie faultie, in a sage matter to bring in anie table talk, or wanton words. Pericles sayd well, wen he had Sophocles ioined Pretor with him: and they wer commoning aboute their office: and, as by chaunce a well fauoured childe passed by, Sophocles sayd: Oh, ther is a fayre boye, Pericles: he answered: It becommes a Pretor, Sophocles, to haue not onely forbearing handes, but yies also, If Sophocles had sayd this same, where wrastelers be allowed: he had been free from iust reproofe. So gret a force ther is bothe of place, and time. As for example, if a man, that shall pleade a cause, bee musing to himselfe in his iourney, or in his walke: or if anie other thing he mideth heed fully: he is not reproued: but if he do ye like, at a feast he may be thought vnciuil, for hauing no regard to the time. Howbeit those things which farre disagree, frõ al humani-

humanitie, as if any man ſing in the ſtreate, or if any other greate diſorder ther bee: by and by they appeare and they greatly neede not our admontion, or rules: but from theſe, which ſeme to bee ſmall faultes, and of many can not be perceiued, we muſt the more diligently refrayne. As in inſtruments ſounding by ſtrings or blaſt, though neuer ſo litle they iarre, yet that of a cõning manne is wont to be founde: ſo muſt we liue in thys like that nothing chãce to iarre: yea and ſo much ẏ more, as the concorde of deedes is greater, & better, than of tunes. Wherfore as in inſtrumentes, muſicians eares doo feele euen ẏ leaſt diſcord: ſo if we will be ſharpe, and quick iudges, and markers of faultes: we ſhall vnderſtand oftentymes greate thynges by ſmall.

We ſhal ſoone iuge by ẏ ſetting of the eye, by ſmoth loking, or bẽding of ẏ browze by ſadnes, mirth, laughter, ſpeaking, ſilence, ſtraining, and

vt ſi quis in foro cantet, aut ſi qua eſt alia magna peruerſitas, facile apparent, nec magnopere admonitionem & præcepta deſiderant.

Quæ autẽ parua videtur eſſe delicta, neq; à multis intelligi poſſunt, ab his eſt diligentius declinãdum: vt in fidibus aut in tibijs, quãuis paulũ diſcrepent, tamẽ id à ſciente animaduerti ſolet. Sic viuendum eſt in vita, ne forte quid diſcrepet, vel multò ctiã magis, quò maior & melior actionũ, q̃ ſonorũ cõcentus eſt. Itaq; vt in fidibus muſicorũ aures vel minima ſentiũt: ſic nos, ſi acres ac diligentes iudices eſſe volumꝰ animaduerſores eſq;, vitiorũ, magna intelligemus ſæpe ex paruis. Ex oculorũ obtutu, ex ſuperciliorum aut remiſſione aut cõtractione, ex mœſtitia, ex hilaritate, ex riſu, ex locutiõe, ex reticẽtia

ex contentione vocis, ex ſũmitione, ex cæteris ſimilibus facile iudicabim⁹, quid eorũ aptè fiat, quid ab officio naturaq́, diſcrepet. Quo in genere nõ eſt incommodum quale quodq́, eorũ ſit ex alijs iudicare: vt ſi quid dedeceat in illis, vitem⁹ et ipſi. Fit. n. neſcio quo modo, vt magis in alijs cernam⁹ quã in nobiſmetipſis, ſi quid deliquitur. Itaq́, facillimè corrigũtur in diſcẽdo, quorũ vitia imitãtur emẽdandi cauſa magiſtri. Nec vero alienũ eſt, ad ea eligenda, q, dubitationè afferũt, adhibere doctos homines, vel etiã vſu peritos: et quid his de vno quoq́ genere officij placet exquirere. Maior enim pars eo ferè deferri ſolet, quò à natura ipſa deducitur, in quib⁹ videndũ eſt non modo quid quiſque loquatur, ſed etiam quid quiſq́ ſẽtiat, atq́ etiã qua de

and falling of the voyce, & other ſuch like: what is ſutingly done: and what is duty, & nature ſwarweth. In whych kind of thyngs, it is not vnconuenient to iuge by other, of what fort ech one of them is: for if ought miſbecommeth an other, we ſhõne it alſo in our ſelues. For it commes to paſſe, I wot not how: that we ſee more in other, than in our ſelues, if ought be doone amiſſe. And therfore verie ſoone thoſe ſcholers be corrected, whoſe faultes their maiſters do counterfet, for to make them amended.

Moreouer out of this waye it is, in choſing of thynges, which bring a doutfulnes to take lerned mennes aduiſe, or ſkilfull by experyence: and ſo to ſearche, what liketh them, concerning euery kinde of dutie. For the greater parte is commonly wont thither to be caryed whither of very nature they be ledde. In which we muſt ſee, not onelie what echeman ſayth: but alſo, what echeman thinketh: and for what cauſe

cause, eche mā so thinketh. For as painters, and they that graue images, and the right poetes also, bee wyllyng to haue theyr workes seene of all sortes of men: that in case ought bee reproued of manye, it may bee corrected: and therin bothe with them selues, and with other, they examine, what is done amisse: so after the iudgement of other, many thinges of vs bothe must be done, & lefte vndone, and also changed, and amended.

As for thinges, which ar done after custome, and ciuill ordinaunces: ther is no precept to be geuen of them. For they be precepts of thē selues: neither it behoueth any man to bee ledde with this errour: if Socrates, or Aristippus haue done, or spoken any thing againste ciuill order, and custome: that he shoulde thinke the same lawfull for him to do. They obteined such a large libertie of fault finding, by their greate, and heauenly giftes. But the hole fashion

causa quisq; sentiat. Vt enim pictores, & q̄ qui signa fabricantur, & veri etiam poetæ suum quisq; opus à vulgo considerari vult, vt si quid reprehensum sit à pluribus, id corrigatur, hiq; & secum, & cum alijs, quid in eo peccatum sit, exquirunt: sic aliorum iudicio permulta nobis & facienda & nonfacienda, & imitanda & corrigenda sunt. Quæ vero more aguntur, & institutis ciuilibus, de his nihil est præcipiendum, illa enim ipsa præcepta sunt. Nec quenquam hoc errore duci oportet: vt si quid Socrates, aut Aristippus contra morem consuetudinemq; ciuilē fecerint locutiue sint, idem sibi arbitretur licere, magnis enī illi et diuinis bonis hanc licētiā assequebantur. Cynicorū vero ratio tota

est ejcienda: est enim inimica verecundiæ: sine qua nihil rectum esse potest, nihil honestum. Eos autem quorum vita perspecta in rebus honestis, atq; magnis est, bene de Repub. Sentientes, ac bene meritos, aut merentes, aliquo honore, aut imperio affectos, obseruare & colere debemus. Tribuere etiam multum senectuti, cedere ijs, qui magistratum habebunt: habere delectum ciuis & peregrini: in ipso peregrino, priuatimne, an publicæ venerit. Ad summam, ne agam de singulis, communem totius generis hominum consiliationem & consociationem colere, tueri, seruare debemus. Iam de artificijs & quæstibus, qui liberales habendi, qui

of the Cynikes is vtterly to bee refused. For it is enemie to shamefastnesse: without which, ther can be nothyng vpryght, nor nothing honest.

But those we ought to reuerence, & giue attendāce vpō thē: whose like hath bē tryed in honest, and worthy matters: who do meane well to the common weale, and haue well deserued, or do deserue well therof: and to any honour, or rule bee aduaunced: also we muste haue olde age in great estimacion: & must giue place to those, that beare office: & make difference betweene a citizen and a strāger: and in the very straunger also we ought to consider, whether he came of priuate businesse or for the common weales affaires. In a summe (that I treate not of euery particular) we are bound to loue, maintein, and preserue the common atonement and fellowship of all mankinde.

Now, concerning occupacions, & gainfull sciēces, which ar to be coūted honest

and

and whiche ar of base reputacion, thus commonly we haue lerned. Firste, those gayninges bee disalowed, that runne in hatred with all menne: as the gayne of toll farmers, and vsurers. Out of estimacion also, and base be the gaines that men in wages do take: whose labour is bought, & not theyr cóning. For in thē the very hyer is as it were the obligacion of their bondage. They moreouer are to bee coūted of the baser sort, who bye of marchantes, that out of hand they retaile againe. For, nothing they profite, onlesse they lye a pace: and truely dishonester thyng is ther none, thā a vaine tong. And all kind of handy craftesmen serue in meane occupacions.

Neither can the workshop truly haue in it any gentlemanly doing: & nodeal to be praised are these occupacions, whiche bee seruers of pleasures: as Trinkermen, butchers, cookes, puddingmakers, fishermē, which Terēce speketh of, put to these

sordidi sint, hæc ferè accepimus. Primum improbantur hi quæstus, qui in odio hominum incurrunt, vt portitorū, vt fœneratorum. Illiberales autem & sordidi quæstus mercenariorum omnium, quorum operæ, non quorum artes emuntur. Est enim in illis ipsa merces authoramentum seruitutis. Sordidi etiam putandi, qui mercantur à mercatoribus, quod statim vendant. Nihil enim proficiunt, nisi admodum mentiantur. Nec vero quicquam est turpius vanitate. Opificesq́, omnes in sordida arte versantur. Nec enim quicquam ingenuum potest habere officina, minimeqúe artes ea probandæ, quæ ministræ sunt voluptatum: cetarij, lanij, coqui, fartores, piscatores, vt ait Terentius: adde his

si placet, vnguentarios, saltatores, totũq; ludũ talariũ. Quib⁹ autẽ artib⁹, aut prudẽtia maior ineſt: aut nõ mediocris vtilitas quæritur, vt medicina, vt architectura, vt doctrina rerũ honeſtarũ, hæ ſunt ijs, quorum ordini conueniunt, honeſtæ. Mercatura autẽ ſi tenuis eſt, ſordida putanda eſt: ſin magna & copioſa, multa vndiq; apportans, multiſq; ſine vanitate impartiens, non eſt admodũ vituperanda. Atq; etiam ſi ſatiata quæſtu, vel contenta potius, vt ſæpe ex alto in portum, ſic ex ipſo portu ſe in agros poſſeſſioneſq; contulerit, videtur iure optimo poſſe laudari. Omnium autem rerum, ex quibus aliquid acquiritur, nihil eſt agricultura melius, nil vberius, nil dulcius, nil homine libero dignius. De qua quoniam

ye liſt, perfumers, dauncers, and all hazarders.

But thoſe ſciences, wherein is greater wiſedome, and no meane profit ſought: as phyſicke, caſting of buyldinges, & learnyng of worthy knowledge: bee honeſt for them, with whoſe eſtate they agree. And marchaundiſe, if it bee ſmall, is to bee counted of little eſtimacion: but if it be great, and well ſtored, conueyeng many cõmodities rounde about: and diſparſing thoſe ſame into many mens handes, without baine wordes: it is not much to be diſpraiſed: and fardermore, if being ſatiſfied with gaine, or contented rather, as it hath oftẽ come from the ſea to the hauen: ſo it chaunge from the hauen into landes, and poſſeſſiõs: it ſeemeth, of verye good right it may be commended. For of al thinges, wherein any gaine is ſought, nothing is better thã groundtilth & trimming, nothyng yeeldinger, nothing ſweeter, nothing meeter for a free borne man. Wherof bicauſe

in

in Cato the elder we haue spoken inough: thence shal you take, what so to this place shall apperteine.

But how duties do procede frō those partes, which belong to honestie: I think it sufficiētly declared. Now in those same thinges which be honest, ther maye befall oftentimes a question, and comparison, of two honeste thinges, whether is the honester: whiche point is passed ouer of Panetius.

For where as all honestie springeth out of foure brāches: whereof one is of knowledge, an other of cōmon felowship, the third of great corage, the fourth of measure keeping: it muste nedes bee, that in choosyng of dutie these be often compared togither. We thinke therefore, those duties bee more agreable with nature, which be borowed from cōmen felowship: than those, which be fetched frō knowledge: and that may be proued by this argument: bycause if a wise man happen on such a life: that he be en-

in Catone maiore satis multa diximus, illinc assumes, quæ ad hunc locū pertinebūt. Sed abijs partib⁹, quæ sut honesta tis, quē admodū officia ducerentur, satis expositū videtur. Eorum autē ipsorū, quæ honesta sunt, potest incidere sæpe contētio et cōparatio de duobus honestis, vtrū honestius: qui locus à Panætio est prætermissus. Nam cū omnis honestas manet à partibus quatuor, quarū vna sit cognitionis, altera communitatis, tertia magnanimitatis, quarta moderationis: hæ in deligendo officio sæpe inter se comparentur necesse est. Placet igitur aptiora esse naturæ ea officia, quæ ex communitate, quàm ea quæ ex cognitione ducantur. Idque hoc argumento confirmari potest. Quodsi contigerit ea vita sapienti, vt

omnium rerum affluentibus copijs ditetur: quanuis ea, quæ cognitione digna sunt, summo otio secum ipse consideret & cõtẽpletur, tamen si solitudo tanta sit, vt hominem videre non possit, excedat è vita. Princepsq; omnium virtutum est illa sapientia, quã σοφιαν græci vocant. Prudentia enim, quã græci φρονησιν dicunt aliam quandam intelligimus: quæ est rerum expetendarum, fugiendarumque, scientia. Illa autem sapientia, quam principem dixi, rerum est diuinarum, atque humanarum scientia: in qua continetur deorum et hominum communitas & societas inter ipsos. Easi maxima est (vt est certe) necesse est, quod à communitate ducatur officiũ, id esse maximũ

rytched with a flowing plentie of all maner substaunce: thoughe with verye greate pleasure he consider, and all to beholde with him selfe those thinges, which ar worthy of knowledge: yet if his solitarines be so great, that he can not haue the sight of a man: he would wishe to be out of the worlde. And that wisdome which the Greekes do terme σοφιαν is the principesse of all vertues. For prudẽce which the Greekes do call φρονησιν, we take to bee of an other nature: which is the knowledge of thinges to be desired, and thinges meete to bee eschewed.

But that wisdome, which I named the princesse, is the science of beauẽty, & worldly thinges: wherein is contayned the commonnesse of gods and men, and their societie together. Which vertue in case it be the greatest as it is in deede: it muste needes folow, that the dutie, which is borowed of cõmõnesse, also is the greatest.

For

For the knowledge, and consideracion of naturall causes shoulde, after a certeine sorte, bee maimed, and vnperfite: if no perfourmaunce of deedes shoulde folowe. And deedes muste appeare in defendyng of mens commodities. They belong therefore to the fellowshippe of men: and for that cause ar to be preferred before knowledge.

And this euery beste disposed man, whan it comes to the poynt, doth show, & declare. For who is so desirefull of thorowsleing, & lerning ỹ nature of things: but, in case while he were treating, and dewyng of matters moste worthy of knowledge: in the meane seasō he shoulde sodeinly heare tydyng of the hazard, and danger of his countrie, which he is able to succour, and withstande: he woulde leaue, and sette aside all those studies: yea though he thought, he were able to nō der the sterres, or to mesure the huge cōpasse of ỹ world: & the same man also woulde do as much in his parentes,

Etenim cognitio, contemplatioq; naturæ manca quodammodo, atq; inchoata sit, si nulla actio rerum consequatur. Ea vero actio in hominum commodis tuendis maxime cernitur. Pertinet igitur ad societatem generis humani. Ergo hæc cognitioni anteponenda est. Atque id optimus quisq; re ipsa ostendit & iudicat. Quis est enim tam cupidus in perspicienda, cognoscendaque rerum natura: vt si ei tractanti, contemplantiq; res cognitione dignissimas, subito sit allatum periculum, discrimenq; patriæ, cui subuenire, opitulariq; possit, non illa omnia relinquat, atque abiciat, etiam si dinumerare se stellas, aut metiri mūdi magnitudinē posse arbitretur. Atq; hoc idē in parētis,

in amici re aut periculo fecerit. Quibꝰ rebus intelligitur, studys officijq; scientiæ præponẽda esse officia iustitiæ, quæ pertinent ad hominũ vtilitatẽ: qua nihil homini esse debet antiquius. Atque illi ipsi quorũ studia, vitaq; omnis in rerũ cognitione versata est, tamen ab augendis hominũ vtilitatibus & commodis non recesserunt. Nam & erudiere multos, quò meliores ciues, vtilioresq; rebus suis publicis essent: vt Thebanum Epaminundam Lysias Pythagoræus: Syracusium Dionem Plato, multiq; multos. Nosque ipsi quicquid ad Rempub. attulimus (si modo aliquid attulimus) à doctoribus, atq; doctrina instructi ad eam & ornati accessimus. Neq; solum vini atq; præsentes studiosos discendi erudiunt,

and in his frendes cause, & perell. By which thynges it is gathered: that before ẏ studies, & duties of knowlege, ẏ duties of iustice are to be preferred: which do belong to the profit of menne: thã the which, a man ought to hold nothing derer.

Also they, who haue spẽt their hole life, and studie in knowledge of thynges, haue not yet withdrawne them selues from helpyng to increase mens profittes, and commodities. For they also haue enstructed many, to make them the better citezens, and the more profitable in their cõmõ weales: as Lysis the Pythagorean scholed the Thebane Epaminondas: Plato taught Dion the Syracusian: and many other, many mo, and what so euer we our selfe brought to the common weale (if any thing we haue brought) we came to it enfourmed by teachers, and furnished with learning. And they not onely whiles they lyue, and bee presente, do schoole, and teach ẏ studentes

dentes of lernyng: but after theyr death also, by their monumentes of learnyng, they do the same. For they haue not ouerpassed one poynte, that concerneth lawes, customes, and the common wealth knowlege: so as they maye seeme to haue employed their quiet studies to their common affaires.

Thus they being them selues giuen to the studies of lerning, and wisedome, do chiefly bestow their wisdome, prudence, and vnderstanding to mens commodities. For the same cause also, it is better to vtter plentifully, so it be discreetly, than without eloquence to conceiue neuer so wittely: bicause ones conceit serueth onely within it selfe. whereas eloquence getteth within her reche those, with whom we are ioyned in cõmon felowshippe. And as swarmes of bees do cluster together, not to this end, to make cõbes: but being swarming by kinde, they worke their combes: so men much

atq; docent: sed hoc idẽ etiam post mortẽ monumẽtis literarũ assequũtur. Nec enim locꝰ vllus prætermissus est ab iis, qui ad leges, qui ad mores, qui ad disciplinã Reip. pertineret: ita vt otium suũ ad nostrũ negotiũ contulisse videantur. Ita illi ipsi doctrinæ studijs et sapientiæ dediti ad hominũ vtilitatẽ suã sapientiã, prudentiã, intelligentiãq; potissimũ conferũt. Ob eã etiã causã eloqui copiose modo prudenter, melius est, quàm vel acutissime sine eloquentia cogitare: quòd cogitatio in se ipsa vertitur: eloquẽtia vero cõplectitur eos, quibus cũ cõmunitate iuncti sumus. Atq; vt apũ examina nõ fingẽdorũ fauorũ causa congregantur: sed cum congregabilia natura sint, fingunt fauos: sic homines, ac multo etiam magis, na-

natura congregati, adhibent augendi congregandiq; solertiam. Itaque nisi ea virtus, quæ cõstat ex hominibus tuendis, id est ex societate generis humani, attingat rerum cognitionem, soli vaga cognitio, & ieiuna videatur. Itemque magnitudo animi remota à communitate coniunctioneq; humana, feritas sit quædam & immanitas. Ita fit vt vincat cognitionis studium, consociatio hominum, atq; communitas. Nec verũ est quod dicitur à quibusdam, propter necessitatem vitæ, quòd ea, quæ natura desideraret, consequi sine aliis, atque efficere non possemus, id circo istam esse cum hominibus communitatem & societatem. Quod si omnia nobis, quæ ad victũ, cultumq; pertinẽt, quasi virgula diuina (vt aiunt)

more than they, by nature swarming, do vse their cõning of doing, and deuising. Therfore onelie that same vertue, which consisteth in defending men, that is to say, the felowship of mankinde, doth meete with the knowledge of thinges: it may seeme a very bare and alone wandring knowlege: and likewise greatenesse of corage, seuered from common felowshippe, and neybourhodde of menne, muste nedes bee a certein sauageneſſe, and beastly cruelitie. So it falles out, that the accompanyeng, and commõ felowship of men farre surmoũtes the studie of knowledge.

Neither is it true, which is said of somme: that this common knotte, and felowshippe is hadde emong mẽ, euen for necessitie of life: because without other, wee might not gette, and bryng to passe thoſe thinges, that nature dooth desire: and that, if all thynges were fosde vs, euen by the grace of Godde (as they saye) which

whiche apperteine to foode, and furniture of life: then would euery one of a good witte, all bysinesse layde asyde, settle him selfe holly in knowledge, and science. But that is not so. For he would both fie solitarinesse, and choose a companion of studie: both teach, & lerne: bothe heare, and speake. Wherfore all dutie, whiche auaileth to mainteine neybourhod, and felowship of mē, is to be preferred aboue that dutie, which consisteth in knowledge, and science. This question perauēture may be well moued: whether this common felowshippe which is most of all agreable to nature, bee also alwayes to be preferred before meane, and measure keping. I thinke not so.

For ther be some thinges partely so filthy, partely so haynous: that a wise man woulde not do them, no not to saue his countrie. Verye many suche, Possidonius hath gathered together: but some of them so fowle, and so fylthye: that

suppeditarentur: tum optimo quisque ingenio negotijs omnibus omissis, totū se in cognitione & sciētia collocaret. Non est ita, nam & solitudinem fugeret, & sociū studij quereret: tū docere, tum discere vellet, tum audire, tum dicere. Ergo omne officium, quod ad coniunctionem hominū & ad societatem tuendā valet, anteponēdū est illi officio, quod cognitione, & scientia cōtinetur. Illud forsitan quærendum sit, num hæc communitas, quæ maxime est apta naturæ, sit etiam moderationi, modestiæque semper anteponēda, non placet, sunt enim quædam partim ita fœda, partim ita flagitiosa, vt ea ne conseruandæ quidem patriæ causa sapiens facturus sit. Ea possidonius collegit permulta, sed ita tetra quædam, ita obscœna

vt dictu quoque videantur turpia. Hæc igitur non ſuſcipiet quiſquam Reip. cauſa nec Reſp. quidem pro ſe ſuſcipi volet. Sed hæc commodius ſe res habet, quod nõ poteſt accidere tempus, vt interſit Reip. quicquã illorum facere ſapientẽ. Quare hoc quidem effectum ſit in officijs diligendis: hoc genus officiorũ excellere, quod teneatur hominum ſocietate. Etenim cognitionem, prudentiamq; ſequitur conſiderata actio. Itaſit, vt conſiderate agere pluris ſit quàm cogitare prudenter, atque hæc quidẽ hactenus. Patefactus eſt enim locus ipſe, vt non ſit difficile in exquirendo officio quid cuiq; ſit præponendum, videre. In ipſa autem cõmunitate ſunt gradus officiorũ, ex quib⁹ quid cuiq; præſtet, intelligi poſſit:

that euen to be ſpoken they ſeeme ſhamefull.

Thoſe therfore ought no man to take in hand, for the common weales cauſe: nether wold the cõmon weale for her ſake haue them enterpriſed. But this matter ſtandes in better caſe: for that ther can befall no time: that the cõmon weale ſhold neede to haue a wiſe man do any of them.

Wherfore let this be concluded, in choiſe of duties: that ſuche kynde of duties moſt excell, as concerne the felowſhip of men. For aduiſed doyng wyll folowe knowledge, and wiſedome. So it comes to paſſe, that to doe aduiſedlye is more worth, thã wiſely to deuiſe. And hereof thus farre. For this place is plainly inough ſet out: that it is not harde, in ſerching out of dutie, to perceiue, among them all which afore other is to bee preferred.

Yet euen in cõmon felowſhip ther be degrees of duties: wherbymay be known what one is aboue ỹ other:

ſo

as the firſt duties be due to the gods immortall: the ſecond, to our countrey: the third, to our parentes: and ſo forth by degrees, the reſt to the reſt.

Of the whiche matters, briefly debated, may be gathered: how men are wont not onely to dout, whether a thing be honeſt, or diſhoneſt: but alſo twoo honeſt thinges layed before them, whether is the honeſter. This pointe (as I ſayde before) is ouerſlipped by Panetius. But now to the reſidue lette vs proceede.

vt prima dijs immortalibus, ſecunda patriæ, tertia parẽtibus: deinceps gradatim reliqua reliquis debeantur. Quibus ex rebus breuiter diſputatis intelligi poteſt, nõ ſolum id homines ſolere dubitare honeſtum ne an turpe ſit, ſed etiam duobus propoſitis honeſtis vtrũ honeſtius. Hic locus à Panetio eſt (vt ſupra dixi) prætermiſſus. Sed iam ad reliqua pergamus.

M. TVLLII CICERONIS, DE OFFICIJS. Liber secundus.

QVEMADMODUM Officia ducerentur ab honestate, Marce fili, atq; ab omni genere virtutis, satis explicatum arbitror libro superiore. Sequitur vt hæc officiorum genera persequar, quæ pertinent ad vitæ cultum, & ad earum rerũ, quibus vtũtur homines facultatem, ad opes, ad copias. In quo tum queri dixi quid vtile, quid inutile, tũ ex vtilibus, quid vtilius, aut quid maxime vtile, de quibus dicere aggrediar, si pauca prius de instituto, ac de iudicio meo dixero. Quanquam enim libri nostri complures:

MARCVS TVLLIVS CICEROES seconde booke of duties to Marcus his sonne.

After what sort duties shoulde be taken out of honestie, sonne Marke, & from euery kynde of vertue: I suppose it sufficientlye declared in my former booke. It folowes, that we go forwarde with these kindes of duties: whiche belong to power, to riches, to the furniture of mans life, and to the plentie of those thinges, that men do occupie. Wherin, I said, it is sought: both what is profitable, what vnprofitable: and also of profitable thynges whiche is the more profitable, or which the moste profitable. Of the which I wyl enter to speake: if I shall saye a worde or two before, of my purpose, and meaning.

For though our bookes haue stirred vp many mẽ to the

the studie not onely of reading, but also of writing: yet otherwhile I feare, lest the name of philosophie bee hatefull to some good men: that they maruaile, I bestowe in it so much trauail, and time. In deede as long as the common weale was gouerned by them, to whō she had committed her self: I dyd employe all my care, and studie vppon it. But when one man kepte all in thraldome: and ther was no place at all for counsell, and authoritie: and I besides had forgone my companiōs of preseruing the state, who had been singuler men: neither I gaue my selfe to greeues, wherwith I shold haue been wasted, onlesse I had resisted thē, nor againe, to pleasures vnseemely for a lerned man. And woulde god, that cōmon weale, had stoode in that state, wherein it began: and hadde not light vpon men, who were not so destrous of altring, as ouerthrowing of things. For first, as we were wont to doo, when the common weale was standyng:

non modo ad legēdi, sed etiā ad scribendi studiū excitauerint: tamē interdū vereor, ne quibusdā bonis viris philosophiæ nomen sit inuisum: mirenturq; in ea tantū me opere & tēporis ponere. Ego autē quādiu Resp. per eos gerebatur, quibus se ipsa cōmiserat, omnes meas curas cogitationesq; in eam conferebā. Cum autē dominatu vnius omnia tenerentur, neq; esset vsquā consilio, aut authoritati locus: socios deniq; tuendæ Reip. summos viros amisissem: nec me angoribus dedi quibus essem confectus, nisi his restitissem: nec rursum indignis homine docto voluptatibus. Atque vtinam Respu. stetisset quo cœperat statu, nec in homines nō tā cōmutandarū rerū, quàm euertēdarum cupidos incedisset. Primū enim, vt stā te Repub. facere solebamus,

in agendo plus quàm in scribendo operæ poneremus. Deinde ipsis scriptis non ea quæ nunc, sed actiones nostras mandaremus, vt sæpe fecimus. Cum autem Resp. in qua omnis mea cura, cogitatio, opera poni solebat, nulla esset omnino: illescilicet literæ omnino conticuerunt forenses, & senatoriæ. Nihil autem agere cum animus non posset, in iis studijs ab initio versatus ætatis: existimaui honestissime molestias deponi posse, si me ad philosophiam retulissem. Cui cum multum adolescens discendi causa temporis tribuissem: post ea quam honorib⁹ in seruire cœpi, meq; totum Reipublicæ tradidi, tantum erat philosophiæ loci, quantũ superfuerat amicorũ et Reip. temporis. Id autem omne consumebatur in legendo:

we would take more labour in pleading, thã in writing: afterward, in very writing we wold not put the things that we doo nowe, but our pleadinges, as wee haue done diuers times.

But when the common weale, in which all my care, studie, and trauaile was wont to be bestowed, was none at all: verelye those lawyerly, and Senatehouse learninges were hulsht.

But seing my mind could not choose, but bee doing: hauing bẽ occupied in those studies, from the beginning of my yonge age: I thought sorowes might be put away most honestly, if I returned my selfe to phylosophie. Wherunto whẽ being yong I had geuen much time, to lerne it: after that I began to attend honours, and vetooke my selfe hole to the common weale: so much leasure was lefte for phylosophie: as remained of the times spẽt about my frends and the commonweales causes. And that was all bestowed in readyng,

for

for writting I had no tyme. In our most miseries therfore, we seeme to haue gotten thys so great a commoditie, that we might put those matters in writting: which were not sufficiently knowne to our men, & yet wer most worthy of knowledge. For what is there in faith more wishfull, than wisedome: what more excellent: what to a mā more worthe: what for a manne more honourable: They then, who doo desire thys, be named philosophers: neither is philosophie ought els, if ye will tell the meaning of the worde, but the studie of wisdōe. And wisdōe (as it is defined of auncient philosophers) is the science of heauēly & worldlie thynges, and of ỳ causes wherby these thinges bee vpholden. And whoso disprayseth ỳ studie therof: I wot not verely, what ther may be that he wold deeme praiseworthy. For whether ỳ delitig of ỳ mind be sought & quieting of cares: what may be cōpared with their

scribendi otium non erat. Maximis igitur in malis hoc tamē boni assecuti videmur: vt ea literis mādaremus, q̄ nec satis erant nota nostris, & erant cognitione dignissima. Quid est enī, per deos, optabili⁹ sapiētia? quid præstātiº? quid homini meli⁹? quid homine dign⁹? Hanc igitur qui expetunt, philosophi nominantur: nec quicq̄ aliud est philosophia (si interpretari velis) quā studium sapientiæ.

Sapientia autem est (vt à veteribus philosophis definitum est) rerum diuinarum & humanarum, causarūq̄, quibus hæc res continētur, scientia: cuius studiū qui vituperat, haud sanè intelligo, quidnā sit, q̄ laudādū putat. Nā siue oblectatio quæritur animi, requieſq̄ curarū quæ conferri cū eorū

studijs potest, qui semper aliquid inquirunt, q̃ spectet, & valeat ad bene beateq́ue viuẽdũ? Siue ratio cõstãtiæ, virtutisq́, ducitur, aut hæc ars est, aut nulla omnino, per quã eas assequamur. Nullã vero dicere maximarũ rerũ artẽ esse, cũ minimarũ sine arte nulla sit, hominũ est parum consyderate loquentiũ, atq́, in maximis rebus errãtiũ. Si autẽ est aliqua disciplina virtutis: vbi ea quæretur, cũ ab hoc discendi genere discesseris? Sed hæc cũ ad philosophiã cohortamur, accurati⁹ solẽt disputari: q̃ alio quodã libro fecim⁹. Hoc autem tempore tantũ nobis declarandũ fuit cur orbati Reipu. muneribus ad hoc nos studiũ potissimũ contulissem⁹. Occurritur autẽ nobis, et quidẽ à doctis et eruditis, q̃rentib⁹ satis ne con-

studies, who alwayes gather somewhat ẏ tendeth, & auaileth wel, & wealfully to liue: or if the way of stedfastnes, & vertue be sought, either this is ẏ art, or there is none at all, whereby we may attein thẽ. To vphold ther is no art of the greatest thinges, seeing none of the least be without arte: it is a token of men speaking with small aduisemẽt & erring in the greatest matters. But if ther be any sciẽce of vertue: where shal it be sought, when you bee gone from this kind of lerning?

But these thinges are wont to bee more exactely discoursed, when we exhort men to philosophie, which in deede we haue done, in an other booke. But at this present, onelie it was to be declared of vs: why wee got vs chiefly to this study when we wer bereft of our comon welth offices.

But it is gainsaid vs, and that of skilfull, and learned mẽ demaũding whether we seme to do cõstãtlie inough

who

who although wee holde, that nothing can be surely knowne: yet both we are wont to dispute of other maters, & at this same time we prosecute preceptes of dutie. To whom I would our opinion, were well knowne. For we ar not they whose mind wãdereth in errour, & hath not at all, what to folow. For what a mind should this be, or rather what a life? where the meane not only of disputig but also of liuing is taken clene away. But as other, who do say some things be certein, some vncertein: so we dissenting from thẽ, do say again some thinges be prouable, some vnprooua-ble.

What is there then, that hold let me to folow those thinges which to mee doo seme prouable? whych cõtrariwise, to disproue? and to voide the presumptiõ of affirming? and to fle rashe-nes, which disagreeth from wisdome most of all.

But by our menne ther is disputing against al things:

stanter facere videamur: qui cũ percipi nihil posse dicam⁹ tamẽ et alijs de reb⁹ disserere solcam⁹, & hoc ipso tempore præcepta officij psequamur. Q uibus vellẽ satis cognita esset nostra sentẽtia. Non enĩ sumus ij, quorum vagetur animus errore, nec habeat vnq̃ quid sequatur. Q uæ enim esset ista mens, vel quæ vita potius, non solũ disputandi, sed etiã viuẽdi, ratione sublata? Nos autem vt cæteri alia certa, alia incerta esse dicunt, sic ab his dissentiẽtes, alia, pbabilia, cõtra alia non probabilia esse dicimus. Q uid est ergo q̃ me impediat, ea quæ mihi probabilia videãtur, sequi? quæ contra improbare? atq; affirmãdi arrogantiam vitantẽ, fugere temeritatem, quæ à sapiẽtia dissidet plurimum? Contrà autem omnia disputantur à nostris,

quòd hoc ipsum probabile elucere non possit, nisi ex vtraq; parte causarum esset facta contentio. Sed hæc explanata sunt in Academicis nostris satis (vt arbitror) diligenter.

Tibi autem, mi Cicero, quàm quam in antiquissima, nobilissimaque philosophia Cratippo authore versaris, hissimillimo qui ista præclara peperunt: tamen hæc nostra finitima vestris ignota esse nolui. Sed iam ad instituta pergamus.

Quinque igitur rationibus propositis officij persequendi, quarum duæ ad decus, honestatemq; pertinent, duæ ad commoda vitæ, copias, opes, facultates, quinta ad eligendi iudicium, si quando ea, quæ dixi, pugnare inter se viderentur: honestatis pars perfecta est:

because thys same thinge, that is prouable, can not shine for the: except there shoulde bee a conference of reasons expressed vpō both sides. But these matters, as I suppose, be diligently inough made plaine in our Academikes.

But although, my Cicero, you be exercised in ỹ most auncient & most noble philosophie, Cratippus being your author: a mā full like vnto those, who haue semed these notable thynges: yet I wold not these of ours, very nere vnto yours, to you shoulde be vnknowne. But now lette vs go on to our purpose.

Seeing then fiue waies be set out of treating vpō dutie: wherof twoo do pertein vnto commelnesse, and honestie: other two belong to ỹ comodities of a mannes life, to aboundance, power, riches: the fift doth serue to ỹ iudgement of chooſing, if euer those, whych I spake of should seeme to striue together: the parte touchyng honesty is made an ende of

which

which truely I desire to be very well knowne to you. But this, wherof we treat now, is the very same, that is called profitable.

In the which terme custõe saying, hath swarued oute of the way: and by little & little is brought to this point, that it woulde seuer profitable from honest: and would make somthing honest, which shoulde not bee profitable. and somethyng profitable, which should not be honest: than ỹ which no greater danger could be brought to mannes life.

Philosophers surelye of very great authoritie doo, grauelie no doute, and honestlie, in imagination sonder theese three confused kindes. For whatsoeuer is iust, they also iudge ỹ same to be profitable: & likewise whatso is honest, they take the same to bee iust: wherof is concluded, that whatsoeuer is honest, the same is profitable. The which thig who smallie forsee: they oftentimes hauing in admiration suttlewytted mẽ,

quam quidem tibi cupio esse notissimam. Hoc autem de quo nunc agimus, id ipsũ est, ꝙ vtile appellatur.

In quo verbo lapsa consuetudo deflexit de via, sensimque eò deducta est, vt ab honesto vtile secerneret: & constitueret honestum essẽ aliquid, quod vtile non esset: & vtile, quod non honestum: qua nulla pernicies maior hominum vitæ potuit afferri. Summa quidẽ authoritate philosophi seuerè sanè, atque honestè hæc tria genera confusa, cogitatione distingunt.

Quicquid enim iustum sit id vtile etiam esse censent: itemq; quod honestum, idem esse iustum. Ex quo efficitur vt quicquid honestũ sit, idẽ sit vtile. Quod qui parum ꝑspiciũt, hi sæpe versutos homines et callidos admirãtes

eorum malitiã ſapientiã iudicant. Quorũ error eripiendus eſt: omniſq; opinio ad eã ſpeciẽ traducenda, vt honeſtis cõſilijs, iuſtiſq; factis non fraude & malitioſe intelligãt ea, quæ velint, cõſequi poſſe. Quæ ergo ad vitã hominũ tuendũ ptinent, partim ſunt inanima, vt aurũ, argentũ, vt ea quæ gignuntur è terra, & alia eiuſdem generis partim animata, q̃ habẽt ſuos impet⁹ & rerum appetit⁹. Eorũ autẽ alia rationis expertia ſunt, alia ratione vtẽtia. Expertes rationis ſũt equi, boues, & reliq; pecudes, et apes, quarũ opera efficitur aliquid ad hominũ vſum, atq; vitam. Ratione autẽ vtẽtiũ duo genera ponũtur: vnũ dcorũ, alterũ hominũ. Deos placatos pietas efficit et ſanctitas. Proxime autẽ et ſecũdũ deos homines homin⁹ maxime vtiles eſſe poſſũt

and craftie do repute their wilinesſe for wiſdõe. Whoſe errour muſt be takẽ away, and their holie oppinion is frõ that to be brought vnto this hope: that by honeſt counſell, & good dedes, not by guile, and craftines, they vnderſtande themſelues in poſſibilitie to atteine ſuch things, as they would.

Some things thã, which appertein to ỹ maintenãce of mans life, be liueleſſe: as golde, and ſiluer, as thoſe which are gottẽ out of the earthe, as other of the ſame ſort: ſome bee liuing, & feeling which haue their motions, & appetites to thigs. And ſome of them be voide of reaſõ, ſome haue the vſe of reaſon. Voide of reaſon be horſes, oxen, and other cattell, and bees, by whoſe worke, ſomewhat is made for mans vſe: & life. But of thoſe ỹ haue vſe of reſõ, two kindes there be put: one of gods, an other of mẽ. Deuotion, & holines wil make ỹ gods fauorable. But next of al, & after ỹ gods, mẽ to mẽ may be moſt profitable.

And

And again ther is the same diuision of those thinges, which annoie, & hurt. But because mē do not think, ỹ goddes do harme, these excepted they suppose men to menne to doe most hurt, or makit.

For the moste part of those same, which we called liueles be the effects of mans worke: and neither we shold haue them, except hande, & craft had been put thereto: neither, without mens seruice, we should vse them.

For neither preseruacion of helthe, nor sailing, nor grounde tilth, & trimming, nor the inning, and sauyng of corne, and other fruites, without labour of menne, could haue ben any at all. Now moreouer both cariage out of those thynges, wherwith we were stored, and conueiance in of those, which we should nede, ther coulde bee doutlesse none, except men should do these offices. And in like maner, nother stones shoulde be hewed out of quarreis, necessarye to our vse,

Earumq; itē rerū quæ nocēant & obsint, eadē diuisio est. Sed quia deos nocere non putāt: his exceptis homines hominib⁹ plurimū obesse vel prodesse arbitrātur. Ea enī ipsa quæ inanima diximus, pleraq; sunt hominū effecta operes quæ nec haberem⁹ nisi manus & ars accessissent, nec his sine hominū administratione vteremur. Neq; enim valetudinis curatio, neq; nauigatio, neq; agricultura, neq; frugū fructuumq; reliquorū perceptio, & conseruatio sine opera hominū vlla esse potuisset. Iam vero & earū rerum, quib⁹ abūdaremus, exportatio, & earum, quibus egeremus inuectio certe nulla esset, nisi his muneribus homines fungerentur. Eademq; ratione, nec lapides exciderentur è terra ad vsū nostrū necessarij

nec ferrũ, æs, aurũ, argentũ effoderetur penitus abditũ, sine hominũ labore et manu. Tecta vero quib⁹ & frigorũ vis pelleretur, & calorum molestiæ sedarentur, vnde aut initio generi humano dari potuisset, aut postea subuenire, si aut vi tẽpestatis, aut terre motu aut vetustate cecidisset: nisi cõmunis vita ab hominib⁹ harũ rerũ auxilia petere didicissit? adde duct⁹ aquarũ, deriuationes fluminũ, agrorũ irrigationes, moles oppositas fluctib⁹ portus manu factos: q; vnde sine hominum opere habere possemus? Ex quibus omnibus multisq; alijs perspicuũ est, qui fructus, quæq; vtilitates ex reb⁹ ijs q; sũt inanimæ pcipiantur, eas nos nullo modo sine hominũ manu, atq; opera capere potuisse. Qui deniq; ex bestijs, fruct⁹

nother yron, golde, brasse, siluer deepe hidden coulde be digged vp without the labour and hand of man. Howses also wherby both the sharpnes of cold might be defended and the noyance of heate might be assuaged, from whence either at the beginning, mought they haue ben giuen to mãkind: or after do ease, if either by violence of tempest or by earthquake, or oldnes they had gone to wracke: except common life hadde learned of men to aske the aide for these thinges.

Adde herunto conduites of water, turning of riuers, lettig in water ouer groũds wharffes made agaynste streames, hauens caste by hande: whych without mẽs worke, we might not haue. By al which, and manie other thinges, it is euident: that by no meanes, without mans hande, and trauaile, we could haue receiued the fruites, and profits, which be gotten of those thinges, that be liuelesse.

What fruits also of beasts,

or

by what commoditie could ther be taken? but if menne should help therto. For euen they doutlesse were men: who were the chief inuenting, what vse wee might haue of eche beaste: not at thys season, without mennes seruice, might wee either kepe horses, or breake them, or saue thē, or of thē take seasonable commodities: and by men also bothe those beastes bee killed, which doo hurt, and those be taken, which may doo seruice.

What should I number vp a heape of artes? without which, maynes life couldе haue been none at all. For who should ease the sicke? What delight should there be among the healthfull? what diet? what apparaile? onlesse so manie arts should serue vs. With which thīgs mans life being furnished, is become so farre different from the feeding, and cote of beastes.

Cities also, without the assēbly of mē, could neither be builded, nor peopled.

aut quæ cōmoditas, nisi homines adiuuarent, percipi posset? Nā & qui principes inueniendi fuerunt quē ex quaq; belua vsu habere possemus, homines certe fuerūt. Nec hoc tempore sine hominum opera, aut pascere eas, aut domare, aut tueri, aut tēpestiuos fructus ex his capere possemus. Abeis deniq; & ea, quæ nocent, interficiuntur: & q; vsui possunt esse capiuntur. Q. uid enumerē artium multitudinem sine quib° vita hominis omnino nulla esse potuisset? Q. uis. n. ægris subueniisset? q; esset oblectatio valētium? qui victus, aut cultus? nisi tā multæ nobis artes ministrarentur? Q. uib° reb° excolta hominum vita tātum distat à victu & cultu bestiarum. Vrbes vero sine hominum cœtu non potuisset, nec ædificari, nec frequentari.

Wher-

Ex quo leges moresq; cõstituti, tum iuris aequa descriptio, certaq; viuẽdi disciplina, per quas bene beateq; viuitur: quas res & mãsuetudo animorum consecuta, & verecundia est: effectumq;, vt esset vita munitior, atq; vt dando, & accipiẽdo, permutãdisq; facultatibus & cõmodis nulla re egerem'. Lõgiores hoc loco sumus, q̃ necesse est. Quis est enim cui non perspicua sint illa, quae pluribus verbis à Panaetio commemorãtur? neminem neq; ducem bello, nec principem domi, magnas res & salutares sine hominum studijs gerere potuisse. Commemorãtur ab eo Themistocles Pericles, Cyr', Agesilaus, Alexander, quos negat sine adiumentis hominum tãtas res efficere potuisse. Vtitur in re non dubia

Wherupon ordinatnces, and customes were made: also an indifferent setting out of lawe, and a sure rule to liue after: by which, the life is ledde well and wealfully. Which thynges both ỹ mildnesse of mindes, and shamefastnes hath folowed: and it is brought to passe, that our life shoulde bee the more safegarded: and that, by giuing and taking, and enterchaungyng of goodes, and pleasures, we should want nothing. We be longer in thys place than nede requires. For who is he, to whom those thinges are not manifest, which in mo wordes be recited of Panetius? that neither any captein in war nor prince at home, couldе haue atchiued great feates and auayliable wythoute mennes endeuour. Rehersed of him is Themistocles, Pericles, Cyrus, Agesilaus, Alexander: whome he denieth to haue ben able to compasse so great thynges without the ayde of men. In a mater nowhit doutful he

he vseth witnesses nowhit necessarie.

And as we obtein great commodities, by the lyke minde, and consent of men: so ther is none so lothsome a pestilence, which doth not growe to man by man.

Ther is a booke of Dicearchus, vpon the death of men: who was a great Peripatetik, and plentifull: & after the other causes gathered togither, as of waterbreakes, of pestilence, of destruction, yea and of the sodein flocking togither of beastes, by whose violence he showeth, howe certein kindes of men were consumed: afterward, he makes comparison, howe manie mo menne haue been destroyed by mennes violence (that is) by warre or rebellion, thā by al other misery.

Seeing then this place hath no maner of dout, but that men both profitte, and hurte menne very much: I point this to be a propertie of vertue to winne mennes heartes to her, and bynde them to her vse.

Ther-

testibus nō necessarijs. Atq; vt magnas vtilitates adipiscimur cōspiratione hominum, atq; consensu: sic nulla tam detestabilis pestis est, q; non homini ab homine nascatur. Est Dicæarchi liber de interitu hominū, peripatetici magni, & copiosi: qui collectis cæteris causis eluuionis pestilētiuæ, vastitatis, beluarū etiā repentinæ multitudinis, quarū impetu, docet quædā hominum genera esse cōsūpta. Deinde cōparat quāto plures deleti sunt homines hominum impetu, id est bellis, aut seditionibus, quā omni reliqua calamitate. Cum igitur hic locus nihil habeat dubitationis, quin homines plurimū hominibus et prosint, & obsint: proprium hoc statuo esse virtutis, consiliare sibi animos hominū, & ad vsus suos adiungere.

Itaq; quæ in rebus inanimis quæq; in vsu & tractatione beluarum fiunt vtiliter ad hominum vitam, artibus ea tribuuntur operosis. Hominum autē studia ad amplificationē nostrarū rerū prōpta ac parata virorum præstantium sapientia & virtute excitatur. Et enim virtus omnis tribus in rebus ferè vertitur: quarum vna est in perspicie do quid in quaq; re verum, syncerumq; sit: quid cōsentaneum cuiq;: quid cōsequēs: ex quo quæq; gignātur: quæ cuiusq; rei sit causa. Alterum, cohibere motus animi turbatos, quos græci πάθη nomināt: appetitiones q;, quas illi ὁρμας, obedientes efficere rationi. Tertium, iis quibus cum congregamur vti moderatè & scienter: quorum studijs ea, q; natura desiderat, expleta,

Therfore what so in thinges inuicesse, and what so in the vse, & occupyeng of beastes is done profitable to mans life: it is all appointed to ye labourlesome trades.

But mennes good willes, that be prest, and readie to the aduauncement of our estate, be stirred vp by the wisdome, and vertue of excellent men.

For all vertue in a maner consisteth in three pointes. Wherof one is in thorowseeing what in euery thing is true, and perfit: what agreable to eche thyng: what is the sequele: wherof all things grow: what is the cause of euery thing.

The other, to keepe in the troublesome moodes of the minde, which the Greekes name πάθη and to make ye appetites, which they call ὁρμας, obedient vnto reason.

The third, to vse them soberlie, and skilfully, with whom we be conuersant: by whose good wills, we may haue those thynges at full

and

and heaped, which nature desires, yea and by them, if any harm be brought vpon vs, we may it auoide: & may be wrecked of those, which haue gone aboute to hurt vs: and may pay them with so much ponnishment as equite, and mans gentilesse doth beare.

But by what meanes we may attein thys power, þ we may cõpasse mens good wills, and reteine the same: we shall say, and that, not long hereafter. But a fewe wordes are to be sayde before.

That a great power ther is in fortune, on either side either for welfare, or euil fare who is ignorant? For both when we enioy her prosperous blast, we are caried to our desired ends: & whẽ her winde is turned, we ar afflicted. This same fortune then hath other chaunces, whych bee seldomer first, þ cõe frõ things liuelesse: as feastormes, tempetis, shipwracks downfalles, burninges: then, from beastes, as stripes, bitinges, ouerrunnings.

cumulataq; habeamus per eosdemq; si quid importetur nobis incõmodi propulsem', vlciscamurq; eos, qui nocere nobis conati sunt, tantaque pœna afficiamus, quanta æquitas humanitasq; patitur. Quib' autẽ rationib' hanc facultatẽ assequi possim' vt hominũ studia cõplectamur eaq; teneamus, dicem' neq; ita multo post: sed pauca ante dicenda sunt. Magnã vim esse in fortuna in vtraque partẽ, vel ad secundas res vel aduersas quis ignorat? Nam & cum prospero flatu eius vtimur, ad exit' peruchimur optatos: & cum reflauit, affligimur.

Hæc igitur ipsa fortuna cæteros casus varios habet: primum ab inanimis procellas, tempestates, naufragia, ruinas, incendia: deinde à bestijs ict', morsq; im-

petus. Hæc igitur (vt dixi) rariora. At vero interitus exercituũ: vt proxime triũ sæpe multorũ clades imperatorũ: vt nuper summi ac singularis viri: inuidiæ præterea multitudinis, atq; ob eas bene meritorum sæpe ciuium expulsiones, calamitates, fugæ. Rursusq; secundæres, honores, imperia, victoriæ, quanq̃ fortuita sunt tamen sine hominũ operib⁹ & studijs neutrã in partem effici possunt. Hoc igitur cognito dicendũ est quonam modo hominum studia ad vtilitates nostras allicere atque excitare possimus.

Quæ si longior fuerit oratio, cum magnitudine vtilitatis comparetur. Ita fortasse etiam breuior videbitur. Quæcunq; igitur homines homini tribuũt ad eũ augẽdum atq; honestandũ,

runninges. These therfore (as I sayde) be seldomer. But the destruccion of armies, as alate of three, oftẽ of manie: slaughter of capteins, as lately of a noble, & syngulermanes ẏ enuiengs moreouer of ẏ multitude: & by reasõ of the same, oftẽtimes the banishementes, the miseries, the fleeinges away of the wel deseruing citiezens: and again, prosperitie, honour, empire, victorie, although they bee in fortunes hande: yet without mens trauailes, & studies on neyther syde they can be brought to passe.

Thys then knowne: wee must declare, by what meanes wee may allure, and styrre vp mens good wills to our profits. The which processe if it bee somewhat long, lette it bee compared wyth the greatnesse of the profitte: so perhaps euen somewhat to shorte it shal seme.

Whatsoeuer then men gyue to a manne, to enriche, & aduaunce hym: either

ther they do it for good will, when for somme cause they beare affection to anie: or els for honours sake, if they reuerence any mannes vertue, & think hym worthie of moste fortunate estate: or in whom they haue a trust, and doe suppose thē to prouide well for their maters: or els whose power they feare: or contrariwise of whome they looke after somewhat: as when vsurpers and people pleasing menne lay large giftes before them: or at last, they be leode to meede, & rewarde. Which indede is the vilest way: and the fowlest bothe to thē, who ar caught with the same, and to those, who do seke to haue refuge ther unto. For the matter goeth not well: when the same that shoulde bee wrought by vertue, is attempted by money. But because ma nie tymes thys helpe is necessarie: wee will tell how it ought to be vsed, if first we shall haue spoken of those thinges, which be neer to vertue.

aut beneuolentiæ gratia faciunt, cum aliqua de causa quempiā diligunt: aut honoris, sic cui⁹ virtutē suspiciunt, et si quē dignū fortuna q̄ amplissima putāt: aut cui fidem habēt, et bene reb⁹ suis consulere arbitrantur: aut cuius opes metuunt: aut contrà à quib⁹ aliquid expectāt: aut cum reges populare sue homines largitiones aliquas proponunt: aut postremo pretio ac mercede aucūtur. Q uæ sordidissima quidē est ratio et inquinatissima, & ijs, qui ea tenentur et illis qui ad eam cōfugere conantur. Malè enim se res habet cum q̄ virtuti effici debet id tentatur, pecunia. Sed quoniam nonnunquam subsidium hoc necessarium est, quemadmodum sit vtēdum eo, dicemus, si prius ijs de rebus, quæ virtuti propiores sunt, dixerimus.

And

Atque etiam subijciunt se homines imperio alterius & potestati pluribus de causis. Ducuntur enim, aut beneuolentia, aut beneficiorũ magnitudine, aut dignitatis præstantia, aut spe sibi id vtile futurũ, aut metu, ne vi parere cogantur, aut spe largitionis, promissionisq; capti: aut postremo, vt sæpe in nostra Repub. videmus mercede conducti. Rerum autem omnium nec aptius est quicquam ad opes tuẽdas ac tenendas quã diligi, nec alienius, quàm timeri.

Præclare enim Ennius,

Quem metuunt oderunt,
Quem quisque odit perisse expetit.

Multorũ autem odys nullas opes posse obsistere: si antea fuit ignotũ, nuper est cognitũ. Nec vero huius tiranni solũ, quẽ armis oppressa

And likewise men make themselues subiect to the rule, and authoritie of an other, for diuers causes. For they bee ledde either with good wil, or gretnesse of benefites, or excelence of honour, or hope, it shall be profitable to them: or feare lest by power they be driue to yeeld: or as taken with hope of large giftes, and promises: or at last, as we see often in our commonweale, euen hyred for meede.

And certesse of al thynges neither is ther any fitter to maintein a power than to be loued, neither anie vnfitter thã to be feared. Notablie saith Ennius.

Whom they feare, hym they
hate al way the most:
Whom anyman hateth,
he wisheth him lost.

But if afore it was vnknowne, since alate it is wel knowne, that no power can withstand the hatered of manie. And truely not onely the death of thys tyrant, whom the city being oppressed with force of

armes

armes did suffer, doth declare how much the hatered of menne preuailes to destructiō: but the like endes of other tirauntes do show as much: of whom scasely anye hath escaped the lyke beath. For, feare is an euyll keper of continuance: and contrarye wise, good wyll is faithfull, yea for euer. But let a roughnes hardely bee vsed of them: who by rule do kepe straite such as bee brought vnder by force: as of maisters ouer seruauntes, if they cā not otherwise bee stayed. But who in a free citie so order them selues, that they bee feared: ther cā nothing possiblie be madder, than they bee. For although the lawes bee sounke by some mās might: although libertie bee all to shaken: yet at length they swimme out againe, eyther by secrete iudgementes, or by priuie voyces in auauncing to honour: & certesse the stinges of ceased libertie bee sharper, than of libertie continued. Lette vs then em-

pertulit ciuitas, interitus declarat, quantū odiū hominum valet ad pestem: sed reliquorū similes exitus tirannorū: quorū haud ferè quisquam talem interitum effugit: malus enim custos diuturnitatis metus: contraque beneuolentia fidelis est, vel ad perpetuitatem. Sed ijs, qui vi oppressos imperio coercent, sit sanè adhibenda sæuitia, vt heris in famulos, si aliter teneri non possūt: Qui vero in libera ciuitate ita se instruunt, vt metuantur, his nihil potest esse dementius. Quāuis enim demersæ sint leges alicuius opibus, quanuis tremefacta libertas: emergunt tamen hæc aliquando aut iudicijs tacitis, aut occultis de honore suffragijs. Acriores autē morsus sunt intermissæ libertatis, quàm retētæ. Quod igitur

latissime patet, neq; ad incolumitatē solum, sed etiam ad opes & potētiā valet plurimū, id amplectamur, vt metus absit, charitas retineatur. Ita facillime quæ volumus, & priuatis in rebus & in Repub. consequemur. Etenim qui se metui volēt, à quibus metuuntur, eosdē metuant ipsi necesse est. Quid enim censemus superiorū illū Dionysiū, quo cruciatu timoris angi solitū, qui cultros metuēs tonsorios cādēte carbone sibi adurebat capillū? Quid Alexandrū Pheræum, quo animo vixisse arbitremur? qui (vt scriptū legimus) cū vxorem Theben admodū diligeret: tamē ad eam ex epulis in cubiculū veniēs, barbarum, & eum quidem (vt scriptum est) compunctum notis Thracijs districto gladio iubebat anteire:

embrace that, whiche moste largely spreadeth: and most auaileth not only to saftie, but also to welth, & power: that feare be bannished, & loue reteined. So moste easely we shall obtein what we desire, bothe in priuate matters, and in the commō welth. For who so wyl thē selues to be hadde in feare: it must needes be, that they thē selues feare those same, of whom they bee feared. For what thynke we of the first Dionysius: with what tormēt of feare was he wōt to be troubled? who fearing ẏ barbers razers, with a reddhot cole singed of his owne beard.

What of Alexāder the Pheraian? with what an herte, do wee suppose, he lyued? who (as we reede written) when exceedingly he loued his wife, Thebe: yet comming to her from banket-tyng into the chamber, he commaunded a kerne, and hym also (as it is written) be prynted with Thracean markes, to goo beefore with a drawne swoorde:

and

and hee sente of his garde afore: to ransacke the womens cofers: and seke, that no weapon were hydden in their garmentes.
O miserable manne, who thought both a kerne, and an vnbridoned slaue faithfuller, thã his wife. And his opinion did not deceiue hym for by her he was slaine for a ielousie of spousebreach. And truly ther is no strẽgth of Empire so great, whiche with suppressyng by feare, can be long continuing.

Wytnesse is Phalaris, whose crueltie is famed aboue others: who perished not by treasõ, as this Alexander did, whom euen now I spake of: nor by a fewe, as this our mã: but against hym the holle commons of the Agrigentines rose with violence. What the Macedonians? did they not forsake Demetrius, & all holle gotte theym to Pyrrhus? What the Lacedemonians, ruyng vnrightfully? did not weinye all theyr leagfrendes sodenly forsake thẽ

præmittebatq́, de stipatoribꝰ suis, qui perscrutarẽtur arculas muliebres, & ne quod in vestimentis occultaretur telũ, exquirerẽt. O miserum, qui fideliorẽ & barbarum et stigmaticũ putaret quàm cõiugẽ. Nec eũ fefellit opinio: ab ea est enim ipse propter pellicatus suspicionẽ interfectus Nec vero vlla vis imperij tãta est, quæ premẽte metu possit esse diuturna. Testis est Phalaris, cuius est præter cæteros nobilitata crudelitas: qui nõ ex insidijs interijt, vt is, quẽ modo dixi, Alexander: nõ à paucis, vt hic noster, sed in quẽ vniuersa Agrigẽtinorũ multitudo impetũ fecit. Quid Macedones? nõne Demetriũ reliquerũt, vniuersiq́, se ad Pyrrhũ cõtulerunt? Quid Lacedemonios iniuste imperãtes? nonne repente omnes ferè socij deseruerunt:

ſpectatoreſq; ſe otioſos præbuerũt Leuctricæ calamitatis. Externa libentius in tali re quàm domeſtica recordor. Veruntamẽ quandiu imperiũ Popu. Roma. beneficijs tenebatur, non iniurijs: bella aut pro ſocijs, aut de imperio gerebãtur, exitus erãt bellorũ aut mites, aut neceſſarij: Regũ, populorũ, nationum, portus erat & refugiũ Senatus: noſtri autem magiſtratus, imperatoreſq; ex vna hac re maximã laudẽ capere ſtudebant, ſi prouincias, ſi ſocios æquitate, & fide defendiſſent. Itaq; illud patrociniũ orbis terræ verius quàm imperium poterat nominari. Senſim hanc conſuetudinem & diſciplinam iam antea minuebamus: poſt vero Syllæ victoriã penitus amiſimus. Deſitũ eſt enim videri quicquã in ſocios iniquum, cum extitiſſet etiam in ciues tan-

and ſhewed them ſelues idle lokers on of the ouerthrow at Leuctra? Forein examples gladlyer, than home deedes I reherſe, in ſuche a caſe. Neuertheleſſe as long as the empire of the people of Rome was vpholden by worthy actes, not by wrõgs doing: and warres were made, eyther for defence of leagfrendes, or for empire: then were the endes of warres, either mercifull or neceſſarie. The Senat was the hauen and refuge of kynges, of peoples, of nacions. And our magiſtrates, and capteins endeuored to get great praiſe, by this only meane: if prouinces, yf leagfrendes, in right, and truth, they hadde defended. Therfore it might haue ben named the protection more truly, thã the empire of the worlde. By little, and little we abated this cuſtome, & order, ſomwhat afore: but after Sillaes victorie, vtterly we loſt it. For men ceaſed to account any thing vnreaſonable toward leagfrẽdes: whẽ ſo gret crueltie

was

was shewed euē against citi-
zēs. Therfore ther folowed
in him of an honest quarell
an vnhoneſt victorie. For
whē ỹ saleſtaffe was pight
in ỹ market place he ſold
the goodes both of good mē
and riche, & thole euen citi-
zens: he was ſo bold to ſay,
that he made ſale of his law
full bootie. One ſucceeded,
who in a wicked cauſe, & a
more shameful victorie, not
only put the goodes of eue-
ry one of the citezens to opē
ſale: but in one ſtate of mi-
ſerie entwrapped holle pro-
uinces, and regions: and ſo
fortein nations being vexed,
and vndone: we ſaw Maſſi
lia borne about in triumph,
for a ſhewe of our Empire
laſt: and triumph made ouer
that citie: without whiche,
our capteines of warres ne-
uer got any triumph, beyōd
the alpes. I coulde reherſe
many mo curſed deedes be-
ſide done againſte our leag-
frendes: if the ſonne hadde
ſeen ought, more haynous,
than this one. Juſtly ther-
fore ar we ſcorged. For, had
we not ſuffred ỹ wickednes

*ta crudelitas. Ergo in illo ſe-
cuta eſt honeſtā cauſam non
honeſta victoria. Eſt enim
auſus dicere haſta poſita cum
bona in foro venderet, & bo-
norum virorū & locupletū,
& certe ciuium, prædam ſe
ſuam vēdere. Secutus eſt qui
in cauſa impia, victoria eti-
am fœdiore, non ſolū ſingulo-
rū ciuium bona publicaret:
ſed vniuerſas prouincias,
regioneſq; vno calamitatis
genere cōprehenderet. Itaque
vexatis, ac perditis exteris
nationibus, ad exemplum
amiſſi imperij, portare in tri-
umpho Maſſiliam vidimus
& ex ea vrbe triūphari, ſine
qua nūquā noſtri imperato-
res extranſalpinis bellis tri
umpharūt. Multa præterea
cōmemorarē nefaria in ſoci-
os: ſi hoc vno Sol quicquā vi-
diſſet indignius. Iure igitur
plectimur. Niſi enim multo-
rū īpunita ſcelera tuliſſem*

nũquam ad vnum tanta peruenisset licentia : à quo quidem rei familiaris ad paucos, cupiditatum ad multos improbos venit hæreditas. Nec vero vnquam bellorum ciuilium semen & causa deerit, dum homines perditi hastam illã cruentam & memincrint & sperabunt : quam P. Syllacum vibrasset dictatore propinquo suo, idem sexto & triceſimo anno post à sceleratiore hasta eadem non receſſit. Alter autem, qui in illa dictatura scriba fuerat, in hac fuit quæstor vrbanus. Ex quo debet intelligi, talibus præmijs propoſitis nunquam defutura bella ciuilia. Itaque parietes vrbis modò stãt et manẽt, ijq; ipſi iam extrema ſcelera metuentes : Rem vero publicam penitus amiſimus.

of many to bee vnponiſhed: ſuch a lawleſſe libertie had neuer come to the handes of one: from whom ſothly the inheritaunce of his gooddes came to few, but of his gredie deſires, to many naughtie menne. Of truelye the ſeede, and cauſe of ciuyll warres ſhall euer faile: as long as miſcheuous menne ſhall bothe remember, and hope after that bloody ſalestaffe: whiche when Publius Sylla hadde ſhaken, his nye kynſemanne beyng Dictator: the ſame ſteppe not once backe from the ſhaking of a like more miſcheuous ſtaffe, the ſixte and thirtieth yere after. But the other, who in the Dictature had been Secretarie, in this was Treaſurer for the citie. Wherupon ought to be vnderſtanded: that whyle ſuch booties bee layed afore men, ciuill warres ſhall neuer want. And ſo, only the walles of the citie do ſtand, and remaine: yea and thoſe ſame euẽ now dreding their laſt miſchief: but the cõmon weale we haue vtterly loſt.

And

And into these destructions we are falne (for wee muste returne to our purpose) while wee habde rather to be feared, than to be deare, and welbeloued. If al this coulde befall to the people of Rome, tulyng vnrightfully: what ought euerye sere man to thinke? Whiche thing sith it is euident, that the power of good wyll is great, of feare, slender: it folowes, that we make discourse: by what meanes we may soneste, with honor, and vprightnes, attein that loue, which we desire.

But all we doo not alyke standē in neede of the same. For to the trading of eche mans life it must bee applyed: whether it be nedefull, of many, or sufficient, of few to be beloued. Lette this therfore be certeine: as the thing, which is both principall, and most necessarie: to haue faithfull familiarities of frendes, louyng vs, and hyely esteeming our vertues. For this is the onely meane in dede: that ther be not muche difference betwene great, and meane mē:

Atq; in has clades incidimus (redeundum est enim ad propositū) dū metui, quàm chari esse, & diligi malumus. Quæ si populo Romano iniuste imperāti accidere potuerūt, quid debēt putare singuli? Quod cū perspicuū sit, beneuolētiæ vim esse magnā, metus imbecillē, sequitur vt dissēramus, quibus rebus facillime possimus eam quā volumus, adipisci cum honore & fide charitatē. Sed ea non pariter omnes egem⁹. Nā ad cuiusq; vitā instituendam accōmodandum est, à multis ne opus sit, an satis sit a paucis diligi. Certum igitur hoc sit, idque & primum & maximē necessarium, familiaritatis habere fidas amantium nos amicorum, & nostra mirātiū. Hæc enim est vna res prorsus, vt non differat multum inter summos & mediocres viros:

eaq; est vtriusq; propemodũ cõparanda. Honore & gloria et beneuolentia ciuiũ fortasse nõ æque omnes egent: sed tamẽ si cui hæc suppetũt, adiuuãt aliquantũ cũ ad cætera, tũ ad amicitias cõporandas. Sed de amicitia alio libro dictum est, qui inscribitur LAELIVS. Nunc dicamus de gloria, quanquã ea quoq; de re nostri libri duo sũt. Sed attingamus: quandoquidem ea in reb⁹ maioribus administrandis adiuuat plurimũ. Summa igitur & perfecta gloria constat ex tribus his. Si diligit multitudo, si fidẽ habet, si cum admiratione quadã honore nos dignos putat. Hæc autẽ (si est simpliciter breuiterq; dicẽdũ) quibus rebus pariuntur à singulis, eisdẽ ferè à multitudine. Sed est alius quoq; quidã aditus ad multitudinem, vt

and it must be procured, in a maner, of them both. Not all perchaunce do stande in like neede of honour, & glorie, and citezens good wyll: but yet who so hath them: they further somwhat bothe to other thinges, and also to the purchasing of frendshippes. But of frendeshyp we haue spoken in the boke, whiche is entitled Lelius: now let vs speake of glory, though of that matter also ther be two bokes of ours: yet let vs touche it, bicause the same auaileth much, in executing of greater matters.

The hiest therfore, & perfite glorie standeth of these three: if the multitude fauour vs: if they haue a trust in vs: if with a certeine admiracio they count vs worthy of honour. And, if wee must speake it plainly, and briefly: as these be gotten at the handes of euery sere mã, by ỹ same menes in a maner they be obteined of the multitude. But there is also a certein other enteraunce into the multitude, that wee

may

.may (as ye wold say) flowe into the hertes of the hole. And firste, let vs se touching those three: which before I called the preceptes of good wyll: that which no doute is caught most of all by benefites. And secundarilye, good wil is alured by a wel willing mind, although perhaps abilitie suffiseth not. But wonderously the loue of the multitude is allured with the fame, and opinion of liberalitie, bounteousnesse, iustice, faithfulnes and of all those vertues, which apertein to the mildnesse of maners, and gentlenes. For that very fame, which we name comely and honest, bicause of it selfe it liketh vs, & with his owne nature, and beautie moueth all our mindes: and principally shineth (as it wer) out of those vertues, whiche I haue rehersed: therefore by very nature we are enforced to fauour thē, in whom we think those vertues to bee. And these verilye bee the weightiest causes of fauoring: for other more lyghter

in vniuersorū animos tanquā influere possimus. Ac primū de illis trib⁹, quæ ante dixi, beneuolentiæ præcepta videamus quæ quidē beneficijs capitur maximè. Secūdo autē loco beneficia volūtate beneuolētia mouetur, etiāsi res forte non suppetit. Vehemēter autē amor multitudinis cōmouetur ipsa fama et opinione liberalitatis, beneficētiæ, iustitiæ, fidei, omniūq; earū virtutū, quæ pertinēt ad māsuetudinē morū ac facilitatē. Etenim illud ipsū, quod decorū honestumq; dicimus, quia per se nobis placet, animosq; omniū natura et specie sua commouet, maximeq; quasi perlucet, ex ijs, quas cōmemorauī, virtutibus: idcirco illos, in quib⁹ eas virtutes esse remur, à natura ipsa diligere cogimur. Atq; hæ quidem causæ sunt diligēdi grauissimæ. Possunt enim præterea nonnullæ:

esse leuiores. Fides autem vt habeatur, duab⁹ rebus effici potest: si existimabimur adepti cōiūctā cū iustitia prudentiā. Nā & ijs fidē habemus, quos plus intelligere quàm nos arbitramur: quosq; & futura prospicere credim⁹ & cū res agatur, in discrimenq; ventū sit, expedire rē, & consiliū ex tempore capere posse. Hanc enim omnes existimāt vtilē, veramq; prudētiā. Iustis autem & fidis hominib⁹, id est viris bonis ita fides habetur, vt nulla sit in his fraudis iniuriæq; suspicio. Itaq; his salutem nostrā, his fortunas, his liberos rectissime cōmitti arbitramur. Harum igitur duarum ad fidem faciendam iustitia plus pollet. Q uippe cum ea sine prudentia satis habeat authoritatis: prudētia sine iustitia nihil valet ad faciēdā fidē. Q uo enī quis versutior

ther may be beside.

But, that a truste maye bee had in vs, by twoo thinges it may bee brought to passe: if we shall bee thought to haue atteined prudence ioyned with Iustice. For both to them we haue a truste, whom we suppose to vnderstand more, than our selues: and also to them, who, we beleue, be able both to foresee thinges to come: and also to dispatche the businesse, and forthwith to take counsail: when the matter is in hand, and stands in hazard. For all men do iudge this the profitable, and true prudence. But in such wise credit is geuen to iust, & trusty men (that is) to good men: that in thē ther is no suspicio of deceit, & iniurie. Ther fore to these our life, to these our goodes, to these oure childrē we suppose very wel to be committed. Of these two then iustice is of more power to win a credit: bycause it without prudence hath sufficient authoritie, prudence without iustice is nothyng worthe to gette credit. For, the sutteler,

and

and the craftier that a man is: so muche the more he is hated, and suspected, when the opynyon of his honestie is pulled away. Wherefore iustice ioyned with vnderstanding, shal haue as much power as it list, to purchase credit: iustice without prudence shal be of much power, prudence without iustice shalbe nothing worth. But lest some mā haue maruail: seing amongste all philosophers it is plaine, and by my selfe disputed oftē: him that shoulde haue one vertue, to haue all the vertues: why I do nowe sonder thē so, as though ther may any man be iust, whiche same is not prudent: of one sort, is that suttlenesse, when very trouth is leueled in disputacion: and of an other sort is that talke, when it is all applyed to the common opinion. Wherfore we speake so in this place, as the commō sort do: that we cal some one sort manly, some other good mē, some other prudēt. For ꝟ ꝟ peoples wordes, & vsual termes, we must treat when

& callidior est, hoc inuisior et suspectior detracta opinione probitatis. Quamobrem intelligētiæ iustitia cōiūcta, quantū volet habebit ad faciēdā fidē viriū. Iustitia sine prudentia multū poterit, sine iustitia nihil valebit prudentia. Sed nequis sit admiratus, cur (cum inter omnes philosophos constet, à meq; ipso sæpe disputatū sit, qui vnā haberet omnes habere virtutes) nunc ita se iungā, quasi possit quisquā qui non idem prudens sit, iustus esse. Alia est illa, cum veritas ipsa limatur in disputatione, subtilitas: alia cū ad opinionem cōmunē omnis accōmodatur oratio. Quāobrē vt vulgus, ita nos hoc loco loquimur, vt alios fortes, alios bonos viros, alios prudētes esse dicamus. Popularibus enim verbis est agendum & vsitatis,

cū loquimur de opinione populari: idq; eodem modo fecit Panætius. Sed ad propositum reuertamur. Erat igitur ex tribus, quæ ad gloriā pertinerēt, hoc tertiū, vt cū admiratione hominū honore ab his digni iudicaremur. Admirantur igitur cōmuniter illi quidē omnia, quæ magna & præter opinionē suā animaduertunt, separatim autem in singulis, si perspiciūt nec opinata quidē bona. Itaq; eos viros suspiciūt, maximisq; efferunt laudibus, in quibus existimāt se excellentes quasdā & singulares virtutes perspicere. Despiciunt autē eos & contemnunt, in quibus nihil virtutis, nihil animi, nihil neruorū putant. Nō enim omnes eos contēnunt, de quibus male existimāt. Nā quos improbos, maledicos, fraudulētos, putant, & ad faciendam iniuriam instructos, eos haud contemnunt quidem,

whē we speake of the cōmō peoples opinion: & that did Panetius, after ỹ same sort. But to the purpose let vs returne.

Of the three therfore, which should appertein to glorie, this was the thirde: that with admiracion of menne, wee might by them bee thought worthy of honour. Generallye then they haue in admiracion doutlesse all thinges: which they haue noted to be great, and beyond their wening: & generally in euery sere man, if they perfitly se good things vnlooked for. Therfore thei honour those men, and with higheſt prayses set thē aloft: in whō they think thē selues to beholde certeine passing, and singuler vertues. But those they despise, and sette at nought: in whom no vertue, no corage, no strength, they iudge. For all men do not despise them, of whom they think euill. For whō they deme dishoneſt, misreporters, grieful, and readie framed to do wrong: those they despise not certesse, but

but of them they think euil. Wherfore (as I sayd afore) they be despised: who neyther to them selues, nor to other do good, as they say: in whom ther is no painfulnesse, no diligēce, no caring: but they be reuerensed with a certein admiracion: who are thought to go before others in vertue: and to be without bothe al vnsemelinesse, & also those vices, which other can not easely withstand. For bothe pleasures, full flatering dames, do oftentimes wrest ẏ greater parte of the mynde from vertue: and also when the brondes of paines be layde vnto them, most men beyōd measure bee all to fraied. Life, death, riches, pouertie, most mightilie moue all men. Which thinges who so on either side, with a lofty, and great corage do despise: and whē before them is offered any goodly, & honest thing, it turneth and haleth them hole to it self: thē who dothe not maruell at the brightnes, & beautie of vertue? Therefore both this despi-

sed de his male existimant. Quamobrē (vt ante dixi) cōtēnūtur ij, qui nec sibi, nec alteri prosunt (vt dicitur) in quibus nullus labor, nulla īdustria, nulla cura est. Admiratione quadā vero afficiuntur ij, qui anteire cæteris virtute putantur: & cū omni carere dedecore, tum vero ijs vitijs, quib⁹ alij nō facile possunt obsistere. Nā & voluptates blādissimæ dominæ sæpe maiores partes animi à virtute detorquēt, & dolorū cū admouētur faces, prætermodū pleriq́, exterrētur, vita, mors, diuitiæ, paupertas omnes homines vehemētissime permouent. Quæ qui in vtrāq́ partem excelso animo, magnoq́ despiciūt, cūq́ aliqua his āpla & honesta re obiecta est, totos ad se cōuertit, et rapit: tū quis nō admiretur splēdorē, pulchritudinēque virtutis? Ergo & hæc

animi despiciētia admirabilitatē magnā facit: & maximè iustitia, ex qua vna virtute viri boni appellātur, mirifica quædā res multitudini videtur: nec iniuria. Nemo enim iustus esse potest, qui mortē, qui dolorē, qui exiliū, qui egestatē timet, aut qui ea quæ his sunt cōtraria, æquitati āteponit. Maximeq; admirātur eū, qui pæcunia nō mouetur: quod in quo viro perspectū sit, hūc dignū spectatu arbitrātur. Itaq; illa tria, quæ proposita sūt, ad gloriā, omnia iustitia conficit, et beneuolētiam, quòd prodesse vult plurimis: et ob eandem causā fidē, et admirationem habet, quod eas res spernit & negligit, ad quas pleriq; inflāmati auiditate rapiūtur. Ac, mea quidē sententia, omnis ratio & institutio vitæ adiumēta hominū desiderat. In primisq; vt habeas, quib⁹

despisyng mynde causeth a great wōdering: & specially iustice, of whiche vertue alone good mē be named, semeth to ẏ multitude a wōderful thing: & not without cause. For none can be iust, who dreadeth death, paine, banishment, or pouertie: nor any, that before equitie preferreth the cōtraries. And most of all, they wonder at him, who is not tēpted with money: & in what man that is wel tried, him think they worthye to bee regarded. Therfore iustice doth work al those thre, which be pointed out for glorye, & gettes good wyll also: bycause it meanes to profite very manye: & for the same cause, it worketh credit likewise, & admiraciō: bicause it despyseth, and nought regardeth those thinges, whereunto most menne enkindled with greedinesse be haled. And surely, after my iudgement, euery trade, & order of life requireth the aydes of men: and chiefely that ye haue some, with whom you may debate in familiar talke: which

whiche is harde, onlesse ye beare vpon you the show of an honest man. Therefore opinion of iustice is necessarie euen to the alone liuer, and one that leades his lyfe in the fieldes: yea and so much the more, bycause yf they haue it not, vniust thei shall bee counted: and being garded with no defence, shal be vexed with many iniuries. And to these also, who do sell, bye, hyre, lette, and be entangled in bargaining bysinesse, iustice, to go thorow with their matters, is necessarie. Whose power is so great: that euen they, who be fedde with cupi doing, and mischiefe, can not possible liue without some percell of Iustice. For who stealeth, or priuily pyketh any thyng from any of thē, with whom he goth a theeuing: he leaueth not hym selfe a place, no not in robberie. And onlesse he, who is named the archpirate, deuide the prise egally: either he shall bee slaine of his mates, or els forsaken.

cū possis familiares conferre sermones: quod est difficile, nisi speciē præ te boni viri feras. Ergo etiā solitario homini, atq; in agro vitā agenti opinio iustitiæ necessaria est: coq; etiā magis, quod si eā nō habebūt, iniusti habebūtur: et nullis præsidijs septi multis afficientur iniurijs. Atq; his etiā qui vēdūt, emūt, cōducūt, locāt, contrahendiśq; negotijs implicātur, iustitia ad rē gerendā necessaria est. Cuius tanta vis est, vt nec illi quidē, qui malefício et scelere pascūtur, possint sine vlla particula iustitiæ viuere. Nā qui eorū cuipiā qui vnà latrocinantur, furatur aliquid, aut eripit, is sibi ne in latrocinio quidem relinquit locū. Ille autē, qui archipirata dicitur: nisi æquabiliter prædā dispartiat, aut occiditur à socijs, aut relinquitur.

yea

Quin etiã leges latronũ esse dicuntur, quibus pareant, quas obseruent. Itaq́ propter æquabilẽ prædæ partitionem & Bargulus Illiricus latro, (de quo est apud Theopompũ) magnas opes habuit: & multo maiores viriatus Lucitanus: cui quidem etiam exercitus nostri, imperatoresq́ue cesserunt: quem C. Lælius, is qui sapiens vsurpatur, prætor fregit, & comminuit, fœrocitatemq́. eius ita repressit, vt facile bellum reliquis traderet. Cum igitur tanta vis iustitiæ sit, vt ea etiam latronum opes firmet, atq́ augeat: quam tam eius vim inter leges, & iudicia, & instituta Reip. fore putamus? Mihi quidem nõ apud Medos solum (vt ait Herodotus) sed apud etiam maiores nostros iustitiæ seruandæ causa videntur olim bene morati reges constituti.

Yea and it is sayde, there are lawes amõg theeues: whereto they obey, and do obserue them. And so, by reason of the euen portioning of the prise: bothe Bargulus, the Illirian robber, of whom mention is made in Theopompus, had great richesse: and much greater had Viriatus the Lusitane: to whõ of trouth euen our armies, and capteins gaue place: whõ Caius Lelius, he that was commonly called the wise, being Prætor, did discomfite, and abate: and so alayed his fersenesse, that he lefte an easy warre to other. Seing then the strength of iustice is so great: that it also stablisheth, and encreaseth robbers richesse: howe great suppose we the power therof to bee, among lawes and iudgementes, and ordinaunces of a cõmon weale? Certesse me think, not only among the Medes (as telleth Herodotus) but also among our aunceters, in old time, wel conditioned kinges haue been ordeined, for ỹ end of enioyẽg iustice.

For

For at the beginning, whē the multitude was oppreſſed by them, who had the greater power: for refuge they fledde to ſome one, excelling in vertue: who, whē he ſaued the weaker from iniurie, by patting out an equitie, kept the hyeſt with the loweſt in indifference of law.

And ſ the cauſe ther was of making lawes, as of kinges: for euermore an egal right hath been ſought: for otherwiſe it were not a right.

If they obteined that ſame at the handes of one iuſte, and good manne, with hym they were contented: when that chaunced not, lawes wer deuiſed: whych wyth al men alwayes, in one, and alike voice ſhoulde ſpeake. Wherfore thys is doutleſſe a cleare caſe: that they wer wont to bee choſen to gouerne: of whoſe iuſtice the opinion of the multitude was great. And this therto adioined, that they alſo might bee counted wyſe:

Nam cū premeretur initio multitudo ab iis qui maiores opes habebant, ad vnum aliquem confugiebant virtute præſtantem: qui cū prohiberet iniuria tenuiores, æquitate cōſtituenda, ſummos cum infimis pari iure retinebat. Eademq; conſtituendarum legum fuit cauſa, q; regum. Ius enim ſemper eſt quæſitum æquabile. Neq; enim aliter eſſet ius. Id ſi ab vno bono & iuſto viro conſequebantur: eo erāt contenti. Cum id minus contingeret: leges ſunt inuentæ, quæ cum omnibus ſēper vna atq; eadē voce loquerentur. Erat hoc quidem perſpicuum eſſe, eos adimperandū deligi ſolitos, quorum de iuſtitia magna eſſet opinio multitudinis. Adiiciebat vero hoc, vt idem etiam prudentes haberētur:

nihil erat q̃ homines his authoribus non posse consequi se arbitrarentur. Omni igitur ratione colenda & retinenda iustitia est, tum ipsa propter se (nam aliter iustitia non esset) tũ propter amplificationem honoris et gloriæ. Sed vt pecuniæ nõ quærendæ solum ratio est, verũ etiã collocandæ, q; perpetuos sumptus suppeditat, nec solũ necessarios, sed etiã liberales: sic gloria & quærenda & collocanda ratione est.

Quanq̃ præclare Socrates, hanc viã ad gloriã proximã & quasi cõpendiariam dicebat esse, si quis id ageret, vt qualis haberi vellet, talis esset. Quod si quis simulatione, & inani ostentatione & ficto non modo sermone sed etiam vultu stabilem se gloriam consequi posse rentur, vehementer errant.

ther was nothing, that mẽ, vnder those guides, should wene themselues vnable to attein. Iustyce therfore is by all maner meanes to be regarded, and maintained: both it for it selfe sake (for els it wer not iustice) & also for ẏ enlargemẽt of honour and glorie. But as thet is a waye not onely of getting money, but also of bestowing it: whych may suffice for continuall charges, not onelye such as be necessarie, but also liberal: so glorye must be both gotten, & ordered by a meane.

Notwithstanding notablie Socrates did saye: thys to bee the nerest, and (as it wer) the gayne way to glory: if a manne would endeuour thys, to bee in dede such as he woulde be counted.

And if anie doo deeme thẽselues able to attein sted fast glory, by false, pretẽce, and vaine outshow, both wyth fayned spech, & countenance: they be farre oute of the way.

The

The true glory taketh depe roote, and also shootes abrode: all counterfet things doo soone shedde, as doo the litle flowers: neyther can there any forged thyng be durable. Witnesses very many ther be on both sides: but for shortenesse sake, we wil be contented wyth one familie.

For Tyberius Gracchus Publi⁹ sonne, so long shall be praysed, as remembrãce of the Romayne state shal stand.

But hys sonnes neyther liuing were liked of good men, and ded go in ỹ nomber of mẽ rightfully put to death. Let them then, whoso the true glory wyll attein, perfourme the duties of iustice. What those wer, it was tolde in the former booke. But to the end that soone we maye seeme such maner menne as we be: although the greatest effecte is euen in thys poynte, that wee bee such, as we wouldbe be counted: yet certein preceptes ar to be gyuen.

Vera gloria radices agit, atq; etiam propagatur: ficta omnia celeriter tanq̃ flosculi decidũt: nec simulatum potest quicquã esse diuturnum. Testes sunt permulti in vtranq; partem, sed breuitatis causa, familia contenti erimus vna. Tibi enim Gracchus Publij filius, tãdiu laudabitur, dum memoria rerum Romanarum manebit. At eius filij nec viui probabantur à bonis & mortui numerum obtinẽt iure cæsorum. Qui igitur adipisci veram iustitiæ gloriam volet iustitiæ fũgatur officijs: ea quæ essent, dictũ est in superiore libro. Sed vt facillimè quales simus, tales esse videamur (& si in eo ipso vis maxima est, vt simus ij, qui haberi velimus) tamẽ quædam præcepta danda sunt.

Nã siquis ab incunte ætate habet causã celebritatis & nominis, aut à patre acceptã (quod tibi mi Cicero arbitror contigisse) aut aliquo casu atq; fortuna in hunc oculi omniũ conijciuntur, atq; in eũ quid agat, quẽ admodum viuat, inquiritur: & tanq; in clarissima luce versetur, ita vt nullũ obscurũ potest nec dictũ eius esse, nec factũ. Quorum autẽ prima ætas propter humilitatẽ & obscuritatẽ in hominũ ignoratione versatur: his simul ac iuuenes esse cœperunt, magna spectare, et ad ea rectis studijs debẽt cõtendere. Quod eo firmiore animo faciẽt quia nõ modo non inuidetur illis ætati, verũ etiã fauetur. Prima igitur est adolescẽti cõmẽdatio ad gloriã, siqua ex bellicis rebꝰ cõparari potest in qua multi apud maiores nostros extiterũt. Sẽp. n. ferè

For if anie frõ hys first entered age hath cause of name, and fame: either receiued of hys father, whych to you, my Cicero, I suppose to haue happened, or by any chaunce, & fortune: on hym all mennes yies are cast: and of hym ther is serching, what he doth, & how he liueth: and so, as though he shoulde leade hys life in moste open lyght, nother word, nor dede of his cã be vnknowne.

But whose first age is passed without mẽs knowlege by reason of baseness, & vnknowẽ name: these, as sone as they begin to be pouge: mẽ, ought to loke after gret things: & to preasse vnto the same, with direct studies. Which they shall doe wyth so much the better corage: because yage is not only not enuied, but also fauoured.

The chief setting forth the for a pongman to glory in, if any prayse may be gotten by feates of armes: wherin many haue showed thẽselues, among our auncetors: for warres wer almost cõ-

nuall

mallie kept. But your age chaunced vpon that warre: where the one side had to much mischief, the other, little good fortune. In which warre yet, whē Pōpeius had made you captein of the one wing: bothe of a man most noble, and of the armie, you gotte great prayse, with riding, wyth throwing the darte, & sustaining all thinges with a souldiourlike paynfulnes. And verely ẏ your prayse, and ẏ commonweale fel togither. But of me this treatise is not taken in hande touching you, but touching the holle generaltie. wherfore let vs go forwarde to such thynges as doo remayne.

As then in other matters, the workes of the mynde bee much more, than of ẏ body: so those thinges, whych wytte, and reason wee go throw, be of more grace, than those, whych we do with streugth.

The first commendation then procedeth of sober moode: the next, of naturall

bella gerebantur. Tua autem ætas incidit in id bellū, cuius altera pars scelevis nimium habuit, altera felicitatis parum. Quo tamen in bello cum te Pompeius alæ alteri præfecisset. magnum laudem & à summo viro & ab exercitu consequebare equitando, iaculando, omniq́ue militare labore tolerando. Atq́ue ea quidem tua laus pariter cū Rep. eccidet. Mihi autem hæc oratio suscepta non de te est, sed de genere toto. Q uā obrem ad ea, quæ restant, pergamus.

Vt igitur in reliquis rebus multa maiora sunt opera animi q̄ corporis, sic hæ res quas persequimur ingenio ac ratione, grauiores sunt q̄ illæ, quas viribus. Prima igitur cōmendatio proficiscitur à modestia, tū pietate

in parentes, tum in suos benevolentia.

Facillimè autem & in optimam partem cognoscuntur adolescentes, qui se ad claros & sapientes viros bene consulentes Reipu. contulerunt: quibus cum sit frequentes sunt, opinionem afferunt populo, eorum fore se similes quos sibi ipsi delegerunt ad imitandum. Publij Rutilij adolescentiam ad opinionem & innocentiæ & iuris scientiæ P. Mutij commendauit domus.

Nam L. quidem Crassus, cum esset admodum adolescens, non aliundè mutuatus est: sed sibi ipse peperit maximam laudem ex illa accusatione nobili & gloriosa. Ex qua ætate qui exercentur, laudibus affici solent, vt Demosthenē accepimꝰ, ea ætate Lu. Crassus ostendit,

dutie towarde parentes, the third of good will toward theirs.

But to the best commendacion, youngmen be knowē soonest of all: who haue bestowed thēselues wyth noble and wisemen, well cōselling the common weale: on whom if they be attendaunt, they bring ỹ people in beleefe that they will proue like them, whome they haue chosen thēselues to folow. Publius Mutiꝰ house did set out Publius Rutilius youthstate, for opinion both of harmelesse life, and of knowlege in the law.

For as for Lucius Crassus, when he was a very yonge man, he borowed not from any other place, but wanne hymself a very great praise by that noble, and glorious accusation.

And in whych age, they, who haue exercises, are wonte to bee aduaunced wyth praise as we haue heard by Demosthenes: in the same age Lucius Crassus, dyd showe hymself in

in open court, to doo that very well, hauing forestudied: which euen then at home with praise he might haue exercised.

But whereas ther be twoo sortes of speche, whereof in the one is familiar talk, in ỹ other, vehemence: it is no doute, but the vehemence of speech may do most, and hath the greater furderāce to glorie.

For that is ỹ thing, which we do call eloquence: but yet it is hard to tell, howe much a gentlenes, and familiarnes of speeche wynneth mens mindes.

There be letters abrode of Philippus to Alexander, and of Antipater to Cassander, and of Antigonus to Philippus, three very wisemen (for so we haue heard) in whych they giue rules: that with gentle speeche they allure the heartes of the multitude, to owe theyr good wyll: and that they please their souldiours, by speakyng to them wyth fayre wordes.

idse in foro optimè iam præmeditatum facere: & etiam tum poterat domi cum laude meditari. Sed cum duplex ratio sit orationis, quarum in altera sit ferme, in altera contentio: non est id quidem dubium, quin cōtentio orationis plurimū possit, & maiorē vim habeat ad gloriā. Ea est enim, quam eloquentiam dicimus. Sed tamē difficile dictu est, quanto opere conciliet animos hominum comitas, affabilitasque sermonis. Extant Epistole & Philippi ad Alexādrū, & Antipatri ad Cassandrum, & Antigoni ad Philippū filium trium prudentissimorum (sic enim accepimus) quibus præcipiunt vt oratione benigna multitudinis animos ad benevolentiā alliciant: militesq; blando appellando sermone deliniant.

Quæ autem in multitudine cum cõtentione habetur oratio, ea sæpe vniuersũ excitat gloriã. Magna est enĩ admiratio copiosæ, sapiẽter, q; dicentis: quẽ qui audiũt, intelligere etiã & sapere pl' quã cæteros arbitrãtur. Si vero ineſt in oratione mixta modeſtiæ grauitas: nil admirabili' fieri poteſt: eoq́ue magis ſi eã sũt in adoleſcẽte. Sed cũ ſint plurima cauſarum genera, quæ eloquentiã deſiderãt: multiq; in noſtra Repub. adoleſcẽtes, & apud iudicis & apud Senatum dicẽdo laudem aſſecuti sũt: maxima eſt admiratio in iudicys. Quorum ratio duplex eſt. Nam ex accuſatione & defenſione conſtat. quarũ & ſi laudabilior eſt defenſio, tamen etiam accuſatio probata perſæpe eſt.

Dixi paulò antè de Craſſo.

Idem fecit adoleſcens.

But that oration, which is made amõg the multitude, with vehemence, oftẽtimes raiſeth an vniuerſall glory. For great is the wonderment at hym, that plẽtifullie, and wiſelie ſpeaketh: whom the hearers do iuge alſo to vnderſtande more, and to be wiſer, thã other. And if in the oration there be a grauenesſe mingled & ſober moode: nothing there can be done more wonderful: & ſomuch the more, if thoſe be in a yongman.

But wheras ther be verye many kindes of cauſes, which do require eloquẽce and many yongmen in our common weale, both before the iudges, and before the Senate, haue atteined prayſe by ſpeaking in matters: the greateſt admiratiõ is in iudicial cauſes, the nature wherof is in two pts. For it ſtandeth in accuſation, and defence: of whych albeit defence is the more commendable, yet alſo accuſation is oftentimes allowed. I ſpake of Craſſus, a little before: the like did

Mar-

Marcus Antonius, beyng a yong man: an accusation also brought Publius Sulpitius eloquence to light: whē into iugement he called the seditious, and vnprofitable citezen, Caius Norbanus. But this sothe is not often to be done, nor at anie time: onelesse either for the commonweales cause: as did the two Luculli or for protection sake: as we did for the Sicilias, & for the Hardines: Iuli⁹ Cesar, for Marc⁹ Albutius did the lyke. Also, Lucius Fuli⁹ dilygēce was knowē in the acculing of Marcus Aquilius. Once thē it may be done, not often certesse. But in case a manne muste needes doo it often: let him ascribe thys office to the commonweale: whose enemies to reuenge often, is not to be reproued: yet let ther be a measure present. For of a hard harted man or rather scace a manne it semes, vpon many to bring the daunger of life: for that both is daūgerous to himselfe, and also a shamefull blotte

Mar. Antonius. P. Sulpitij eloquentiam accusatio illustrauit: cum seditiosum & inutilem ciuem C. Norbanum in iudicium vocauit. Sed hoc quidem non est Caius Norbanus
sæpe faciendum: nec vnquā, nisi aut Reipub. causa, vt duo Luculli: aut patrocinio, vt nos proficiscentes, pro Sardis: pro M. Albutio Iulius Cæsar. In accusando etiam Manlio L. Fusij cognita industria est.

Semel igitur, aut non sæpe certè. Sin erit cur faciendū sit sæpius. Reipub. tribuat hoc muneris, cui⁹ inimicos vlciscī sæpe, non est reprehendendum: modus tamen adsit. Duri enim hominis, vel potius vix hominis videtur, periculum capitis inferre multis.

Id enim cum periculosum ipsi est, tum etiam sordidū

ad famam cõmittere, vt ac-
cusator nominere. Quod
contigit M. Bruto summo ge-
nere nato illius filio, qui in-
ris ciuilis in primis peritus
fuit. Atq; etiam hoc præcep-
tũ officij diligenter tenẽdũ
est, nequem vnquam inno-
centem iudicio capitis ar-
cessas. id enim sine scelere
fieri nullo pacto potest.
Nam quid est tam inhuma-
num, quàm eloquentiam à
natura ad salutem hominũ
& ad conseruationem da-
tam, ad bonorum pestẽ, per-
niciemq́ue conuertere? Nec
tamẽ vt hoc fugiendum est,
ita habendum est religioni,
nocentem aliquando, et ne-
farium, impiumq; defẽdere.
Vult hoc multitudo: patia-
tur consuetudo: fert etiam
humanitas. Iudicis est sẽper
in causis verũ sequi: patroni

blotte in hys name: to giue
cause, that he be named a
promotour.

Which chaunced to Marcus Brutus, borne of an-
cient stocke his sonne, who
was verie well skilled in
the ciuill law. And therfo
thys rule of dutie must be
diligentlie kept: ẏ ye bring
no innocent, at any time, in
iudgement vpon life: for ẏ
canne in no wyse be doone
without hainous wicked-
nesse.

For what is ther so vnna-
tural, as to turne eloquẽce,
being giuen of nature for ẏ
safegard, and preseruation
of menne, to the harme and
distruction of good menne?
And yet, as thys is to be
eschewed: so is it not to be
counted contrary to godli-
nesse, to defende the guilty
otherwhile, & mischeuous,
and wicked.

This ẏ multitude desyreth
custome beareth, humanitie
also worketh.

The iudges parte is, euer-
more in causes to folow the
trouth: ẏ counselers parte,

many

manie times to defende the trouth lyke, though it bee not so true: whych to wryte I wold not be bold, namelie seeing I treate of Philosophie: but that the same liked Panetius, the graueſt of the Stoikes.

But moſte of all, by defending, bothe glorye, and fauour is gotten: and so muchthe more, if euer it befall, that he be defended, who doth seme to be beſet, and preſſed with the richeſſe of any man of power: as our ſelf did, both often at other times, and also being yong, for Sextus Roſcius the Amerine, agaynſte the myght of Lucius Sylla, dearyng ſway: whych oration (as ye wot) is abrode.

But now we haue ſette forth yongmennes duties, wych anayle to the attaynyng of glorye: hereafter we muſte ſpeake of bountifulnes, and liberalitye.

Wherof twoo maner waies there be.

For liberal dealing is ſhowed to ſuch, as nede, either by trauail, or with money.

nonnunquam veriſimile, etiam ſi minus ſit verum, defendere. Quod ſcribere (præſertim cum de philoſophiæ ſcriberem) non auderem, niſi idem placeret grauiſſimo Stoicorũ Panætio. Maximè autem & gloria paritur, et gratia defenſionibus: eoq; maior, ſi quando accidit, vt ei ſubueniatur, qui potentis alicuius opib⁹ circunueniri, vrgeriq; videatur: vt nos, et ſæpe alias, & adoleſcentes contra L. Syllæ dominantis opes pro Sexto Roſcio Amerino ſecimus: quæ (vt ſcis) extat oratio. Sed expoſitis adoleſcentium officijs, quæ valeãt ad gloriam adipiſcendam, deinceps de beneficentia, ac liberalitate dicendum eſt, cuius eſt ratio duplex. Nam aut opera benigne ſit indigentibus, aut pecunia.

This

Facilior est hæc posterior, locupleti præsertim: sed illa lautior ac splẽdidior, et viro forti, claroq; dignior. Quã quã enim in vtroq; inest gratificandi liberalis voluntas, tamen altera ex arca, altera ex virtute depromitur. Largitioq;, quæ fit ex re familiari, fõtẽ ipsum benignitatis exhaurit. Ita benignitate benignitas tollitur: qua quò in plures vsus sis, eo min⁹ in multos vti possis. At qui opera, id est virtute & industria benefici & liberales erunt: primum quò pluribus profuerint, eò plures ad benigne faciendum adiutores habebunt deinde cõsuetudine beneficẽtiæ paratiores erunt, & tanq̃. exercitatiores ad bene demultis promerendum. Præclarè in epistola quadam Alexandrũ filiũ Philipp⁹ accusat

This latter is the easyer, speciallie to the possessioner but that other is the goodlier, and more glorious, & meeter for a manlie, and a noble manne. For though ther is a liberal wil of pleasuring in both: yet the one out of the coffer, the other out of vertue is taken: and ẏ lauishing which is made of a mannes housegoodes draweth drie the very fountaine of liberalitie: so liberalitie is by liberalitie wasted: and toward the moe ẏ you do vse it, the lesse ye cã bee able to vse it towarde manie.

But who so shall be bountifull, and liberal of trauail (that is) of vertue and diligence: first, ẏ mo they haue profited, the mo furderers they shal haue toward dealing liberallie: afterwarde by customable vsing of boũteousnesse, the redier they shal be: and (as it were) the more practised to deserue wel of many.

Princelie doth Phillippus, in a certein epystle, accuse Alexander hys sonne: that,

that by lauishnesse, he hunteth after the good wyll of the Macedonians.

What reason, in a mischief, quoth he, hath brought you into this hope? ẏ ye should think, those wold be to you faithfull, whome you had corrupted with money.

why? go ye aboute thys, that the Macedoniãs may thynk you not their kyng, but their seruant & bryber? Well, he sayde, seruant, and briber, because it is vile for a king. Better also he sayd, in that he called large gyuing corruption. For hee, that receyueth is made the worse thereby, and the redier alwayes to looke for the like. Thys saide he to his sonne: but let vs thynk it giuen in precept to vs al. wherfore thys certeinlie is no doute: but that same lyberalitie, which standeth in trauail, and diligence, both is honester, and also spreddeth farder, and is able to profit mo.

Oftentymes yet a manne must gyue largely: and this kid of liberality is not to be vtter=

quod largitione beneuolẽtiã Macedonum consectetur.

Quæ te malũ, inquit, ratio in istã spem induxit: vt eos tibi fideles putares fore, quos pecunia corrupisses? An tu id agis, vt Macedones non te regem suum, sed ministrum & præbitorem putent. Quo quid sordidius regi? melius etiã, quod largitionem corruptelam dixit esse? Fit enim deterior qui accipit, atq; ad id idem semper expectandum paratior. Hoc ille filio: sed preceptum putemus omnibus.

Quamobrem id quidem non est dubium, quin illa benignitas, quæ constat ex opera & industria, & honestior sit, & latius pateat, & possit prodesse pluribus. Nonnunquam tamen est largiendum: nec hoc benignitatis genus omnino

repudiandū est: & sæpe idoneis hominibus indigentib⁹ de re familiari impertiendū: sed diligēter, atq; moderatè. Multi n. patrimonia effuderūt inconsultè largiendo. Quid autē est stultius, quā q libenter facias, curare, vt id diutius facere nō possis? Atq; etiam sequuntur largitionem rapina. Cum enim dando egere cœperint, alienis bonis manus afferre coguntur. Ita cum benevolentiæ comparande causa benefici esse velint: nō tanta studia assequūtur eorum, quibus dederunt, quanta odia eorū, quibus ademerunt.

Quamobrem necita claudenda est res familiaris, vt eam benignitas aperire non possit: necita reseranda, vt pateat omnib⁹. Mod⁹ adhibeatur, isq; referatur ad facultates. Omnino meminisse de-

vtterly cast of: and we muste many times gyue parte of our substance to meete mē, that haue neede: but we muste doo it heedfully, and measurablie.

For diuers haue spoilde out their liuelod, by lauishing it vnaduisedly. But what is foulsher, than to cause, that you can no lenger doo the thing, whych ye loue to doo? And also spoile foloweth of lauishnesse.

For when by giuing they begin to be needie: they be driuen to lay hand on other mennes goods: so whē they woulde be beneficiall, for cause of good will getting they purchase not so great loue of theirs, to whō they gaue: as of them they gett hatered, from whome they tooke.

Wherfore neither a mans substance is so to be shutte vp, that liberalitie can not open it, nor so to be vnlocked, that it lie abrode for euery body. A measure is to be kept, & let it be referred to abilitie. In any wise we muste remember that

which

which with our men is verie oft in vsage, and now is come into the custome of a prouerb: that, Lauishenesse findes no boteome.

For what stay can ther be? when both they, who are wonte to it, and other doo desire one thing? In al ther be two sorts of large giuers of which the one bee called foolelarge, the other liberall.

Foolelarge we call them who with open feastes, and fleshgifts, and fēseshowes, and furniture of sightes, & hontinges, power out their money on those thinges: whereof they shall leaue a memorie eyther short, or none at all.

But liberal they be named, who w̄ their riches do raūsome men taken by prayesekers: or for their frendes sakes, doo becomme suerties for dette: or doo ayde them, in their daughters preferment of maryage: or els doo help them either in getting or increasing their goodes.

And therfore I marnail, what

bemus id, q̄ à nostris hominibus sæpissime vsurpatū, iamq; in prouerbij cōsuetudinē venit: LARGITIONEM FVNDVM NON HABERE. Etenim quis potest esse mod⁹, cū idem & qui cōsueuerunt, & idē illud alij desiderēt? Omnino duo sunt genera largorum, quorū alteri prodigi, alteri liberales. Prodigi qui epulis et viserationibus, et gladiatorū muneribꝰ, ludorū venationumq; apparatu pecunias profundunt in eas res, quarū memoriā, aut breuē, aut nullā omnino sint relicturi. Liberales autē, qui suis facultatibus, aut captos à prædonibus redimunt, aut æs alienū suscipiunt amicorum causa, aut insiliarum collocatione adiuuant, aut opitulātur, vel in re q̄renda vel augenda. Itaq́ue miror

quid in mentem venerit Theophrasto in eo libro, quē de diuitijs scripsit: in quo multa præclarè, illud absurdè. Est enim multus in laudanda magnificentia et apparatione popularium munerum: aliorumq; sumptuum facultatem, fructum diuitiarū putat. Mihi autē ille fructus liberalitatis, cuius exempla pauca posui, multo & maior videtur, et certior. Quāto Aristoteles grauius & verius nos reprehēdit: qui has effusiones pecuniarū nō admiremur, quæ fiunt ad multitudinē delenicndā: at si qui ab hostibus obsidētur si emere aquæ sextarium mina cogerentur, hoc primo audito, tu incredibile nobis videri, omnesq; mirari: sed cū attēderint, veniam necessitati dari: in his immanibus iacturis, infinitisq; sumptib⁹, nihil nos magnopere mirari

what came in Theophrastꝰ minde, in that boke, whych he wrote of riches: wherein he spake many thynges notably but this out of course. If he is much in praysing gret sumptuousenes, & furnishmēt of peoplepleasing showes: and he deemeth the abilenesse of such charges to be the frute of riches. But me thinketh that frute of liberalitie, whereof I haue put a fewe examples, is both greater, and more certain.

How much more grauely, and truely doth Aristotle reproue vs: who ar not in a wonderment at these lauishinges out of money, which be done to clawe the multitude: but in case they, who ar besieged of enemies, should be driuen to bye a quarte of water for tenne crownes: that thyng at first hearing, seemeth to vs vncredible, and al make a maruail at it: but whē we haue giuē good heede thereto, we hold with necessity: yet we make no great maruail at theise exceding losses

and

and endleſſe charges: when ſpecially neyther neceſſitie is relieued, nor worſhippe encreaſed: and that ſelfe ſame clawyng of the multitude ſhall endure for a ſhort, & a ſmall whyle: yea and that, with euery of the lightest mindes: and yet in the verye ſame, euen together with the fulneſſe, the remembraunce alſo of the pleaſure dieth. It is alſo well gathered: that theſe ſhowes bee well lyked of childrē, & women, & ſlaues, and freemen moſt like vnto ſlaues: but that no wayes they cā be allowed of a ſage man, and one, that with a grounded iudgement weyeth thoſe thynges, that bee done. o. o. o. o.

Neuertheleſſe I perceiue in our citie, it hath growen into vſe, nowe in this good world: that the gay ſhowes of the Ediles office is loked for, euen of the beſt menne. Therfore Publius Craſſus bothe by ſurname ryche, and alſo in ſubſtaunce, kept his Edile office maruelous ſumptuouſly. And ſoone

cum præſertim neq; neceſſitati ſubueniatur, neq; dignitas augeatur: ipſaq; illa delenitio multitudinis ad breue, exiguumq; duratura ſit tempus: eaq; à leuiſſimo quoq; animo, in quo tamen ipſo vnà cum ſatietate memoria quoque moriatur voluptatis. Bene etiam colligitur, hæc pueris, & mulierculis, & ſeruis, & ſeruorum ſimillimis liberis eſſe grata, graui vero homini, & ea quæ fiūt iudicio certo pōderanti probari poſſe nullo modo. Q uanquam intelligo in noſtra ciuitate inueteraſſe iam bonis temporibus, vt ſplendor ædilitatum ab optimis viris poſtuletur. Itaque P. Craſſus cum cognomine diues, tum etiam co-pius, functus eſt ædilitio maximo munere. Et paulo

post L. Crassus cum omnium hominum moderatissimo, Quinto Mutio magnificentissima ædilitate functus est. Deinde. C. Claudius Appij filius, multi post: Lucullus, Hortensius, Syllanus. Omnes autem P. Lentulus me cõsule vicit superiores. Hunc est Scaurus imitatus. Magnificentissima vero nostri Pompeij munera secundo consulatu, in quibus omnib⁹, quid mihi placeat, vides. Vitanda tamen est suspicio auaritiæ. Nã Mamerco homini ditissimo prætermissio, ædilitatis consulatus repulsam attulit. Quare etsi postulatur à populo, bonis viris sinon desiderantibus, attamen approbantibus, faciendũ est: modò pro facultatibus, nos ipsi vt fecimus. Etsi quando aliquares maior, aut vtilior popularí largitione acquiritur:

after Lucius Crassus, with Quintus Mutius, the greatest meanekeper of all men, kept the time of their Edile office most royally. Then came Caius Claudius, Appi⁹ son. Afterward succeded many, as Lucullus, Hortẽsius, Silanus. But Publius Lentulus, when I was Consull, passed all his predecessours. Scaurus followed hym. But our Pompeius showes, in his second Consulshippe, wer the costlier of all: in euerye deale wherof, you see what liketh me. We must yet auoid suspicion of couetousnesse.

For the refusall of the Edileshippe brought to Mamercus, a verye riche man, a fall for the Consulshippe. Wherfore the thing is to be done, both if it be called for of the people, & good men, though they do not require it, do yet allowe it: so it bee accoʒding to ones abilitie, as wee our selfe haue done: and also, if any greater, and moʒe profitable thing is wonne at anye tyme, by people pleasyng largesse: as

as of late, a greate honour to Oreſtes yeer the dinings in open wayes, in name of his tenthes. No nor it was not counted a reproche to Marcus Otius: that in a derth of corne, he gaue to the people for foure pence a buſhell. For from a great, & a long feared enuie he deliuerd him ſelfe, neither by a diſhoneſt loſſe, ſeing he was Edile, nor yet very great. But alate, it was paſſing hie honour to our Milo: becauſe for the cõmon weales ſake, whiche in our ſaketie conſiſteth, with hired fencemen he ſuppreſſed all Publius Clodius attẽps, and rages. There is therefore cauſe of largeſſe, if either it be neceſſarie, or profitable. And yet in theſe ſame, the rule of meankeping is beſt. Certeſſe Lucius Philippꝰ Quintus ſonne, a manne of great witte, and moſte famous, was wont to glorie: that he, without any gyfte geuing, had atteined al maner dignities, whiche were counted moſt honorable. The like ſaid Cotta Curio.

vt Oreſti nuper prandia in ſemitis decumæ nomine magno honori fuerũt. Ne Marco quidẽ Seio vitio datũ eſt, quod in caritate annonæ aſſe modiũ populo dedit. Magna crimſe & inueterata inuidia, nec turpi iactura, quãdo erat ædilis, nec maxima liberauit. Sed honori ſummo nuper noſtro Miloni fuit, quod gladiatoribus emptis Reipub. cauſa, quæ ſalute noſtra continebatur, omnes P. Clodij conatus furoreſq; compreſſit. Cauſa igitur largitionis eſt, ſi aut neceſſe eſt aut vtile. In his autẽ ipſis mediocritatis regula optima eſt. L. Quidẽ Philippus Q. Fabij filiꝰ magno vir ingenio, in primiſq; clarus gloriari ſolebat: ſe ſine vllo munere adeptum eſſe omnia, quæ haberentur ampliſſima. Dicebat idem Cotta Curio.

Nobis quoq; licet in hoc quo-dāmodo gloriari. Nā pro amplitūdine honorū, quos cūctis suffragijs adepti sumus, nostro quidē anno (quod cōtigit eorū nemīni, quos modò nominaui) sanè exiguus sūptus ædilitatis fuit. Atq; etiā illæ impensæ meliores sunt, muri, naualia, portus, aquarū ductus, omniaq; quæ ad vsū Reipub. pertinēt. Quāquam quod præsens tanquam in manu datur iucundius est: tamē hæc in posterū gratiora, theatra, porticus: noua tēpla verecundius reprehendo propter Pompeiū: sed doctissimi nō probant, vt et hic ipse Panætius, quē multū in his libris secutus sum, non interpretatus: & Phalereus Demetrius, qui Periclem principē Græciæ vituperat, quod tantam pecuniā in præclara illa propylæa cōiecerit.

We also in this may glorie, after a certeine sorte. For doutlesse small was the cost of our Edileship: in respect of suche large honours, as by al mennes voices we atteyned, euen in our yere: which hath befalne to none of them, whom I named erewhile. And also these expenses be better: whiche are bestowed vpon citie walles shippedockes, hauens, conduites, and all, that appertaine to the vse of the common weale. Although that is more pleasaunt, whiche presētly is giuen (as it were) in hand, yet for time to come these be more acceptable. Sightcourtes, galerywalkes, and new churches, the more reuerently I finde fault with, for Pompeyus sake: but the best lerned mē do not alow them: as both this same Panetius, whom I haue folowed muche in these bokes, & yet not translated him: and also Phalereus Demetrius: who dispraised Pericles, the prince of Greece, because he layed so muche money vpon those goodlye porches.

But of this kynde vniuersally, it is diligently disputed, in those bokes, which I wrote of a common weale. The holle maner then of suche largesse generallie is faultie, yet for certein times it is necessarie: and then the same is bothe to bee referred to ones abilitie, and to bee tempered with a meane keping.

But in that other kinde of largegiuing, whiche proceedes of liberalitie, not all alike in causes vnlike, wee ought to be disposed. Other wise is his case, who is pressed with miserie: and otherwise his, who seeketh more welth, hauing no aduersitie. Toward the miserable, liberalitie ought to bee forwarder: excepte peraduenture they shal be worthie of miserie. Wee ought yet in no wise to be altogither pynchynge towarde those: who woulde haue them selues to bee holpen, not that they maye feele no affliction, but that they maye ryse to hyer degree: neuertheiesse in choosyng

Sed de hoc genere toto in his libris quos de Rep. scripsi, diligẽter est disputatum. Tota igitur ratio talium largitionum genere vitiosa est, temporibus necessaria: et tamen ipsa et ad facultates accõmodanda, & mediocritate moderanda est. In illo autem altero genere largiendi, quod à liberalitate proficiscitur, non vno modo in disparibus causis affecti esse debemus. Alia causa est eius, qui calamitate premitur, & eius qui res meliores quærit, nullis suis rebus aduersis. Propensior benignitas esse debebit in calamitosos: nisi forte erunt digni calamitate. In iis tamen, qui se adiuuari volent, non solum vt ne affligantur, sed etiã vt altiorem gradum ascendant, restricti omnino nullo modo esse debemus: sed in deligendis

idoneis iudicium, & diligentiã adhibere. Nam præclare Ennius.

BENEFACTA MALE LOCATA, MALEFACTA ARBITROR. Quod autem tributum est bono viro & grato, in eo cum ex ipso fructus est, tum etiam ex ceteris. Temeritate enim remota, gratissima est liberalitas, coque eam studiosius plerique laudant, quòd summi cuiusque bonitas cõmune profugium est omnium. Danda igitur opera est, vt his beneficijs quamplurimos afficiamus, quorum memoria liberis, posteritati prodatur, vt his ingratis esse non liceat. Omnes enim immemorem beneficij oderunt: eamq; iniuriam in deterenda liberalitate sibi etiam fieri: eumq; qui faciat,

out meete men, we ought to vse a discretion, and a diligence. For notably sayth Ennius.

Good deedes, in case they be euyll placed,
Euyll deedes I counte,
and cleane disgraced.

But what so is gouen to a good man, and a thankefull: therby bothe there commes frute from him, and also frõ other. For so rashenesse be auoyded, liberalitie is very pleasurefull: & so much the more earnestly most mẽ praise it: bicause euery gret mans goodnesse is the common refuge of all. Our endeueur therefore is to bee done, that we reward them with very many benefites: to whose childrẽ, & offspring a memory may be lefte: so that of good right they can not be vnthankfull. For al men do hate the forgetter of a good turne: and doe deme that wrong euen to theym selues to bee done, in fraying away ones liberalitie: and thei take him, who casteth it, to bee a common

eneme

enemie of the poore. And this liberalitie also is profitable to the common weale, to haue prisoners redeemed out of captiuitie, and the poore enryched. Whiche we see written at large in the oratiō of Crassus: that it was wont to be done abrode by vs of the Equestriall order. I place therfore this vsage of liberalitie before lauishnesse in showes. This is for graue men, and great: that other, (as it were) for flatterers of the people, tickeling, as ye would say, the lightnesse of the multitude with pleasure. But it is meete for a man, both to be liberal in geuing, and nothing eyger in requiring: and also in euery matter of bargaining, selling, byeng, hyring, letting, nye dwellynges, and partie boundes, to be iust and gentle: and to remitte much of his due to many: but from trauers in lawe to refrayne as much, as he may: and I wotte not, whether somewhat more also, than he may.

cōmunem hostem tenuiorum putant. Atq; hæc benignitas etiam Reipub. vtilis est: redimi è seruitute captos, locupletari tenuiores: quod quidē vulgo solitum fieri ab ordine nostro in oratione Crassi scriptum copiose videmus. Hanc ergo consuetudinē benignitatis largitioni munerum longè antepono. Hæc est grauiū hominū, atq; magnorum: illa quasi assentatorium populi, multitudinis leuitatem voluptate quasi titillātium. Conuenit autē tum in dando munificum esse, tū in exigendo non acerbū. In omniq; re cōtrahenda vēdendo, emēdo, conducendo, locando, in vicinitatibus & confinijs æquū & facilem multa multis de iure suo cedentem: à litibus vero quātum liceat (& nescio an paulo plus etiam quàm liceat) abhorrentem.

Est enim non modo liberale, paulū nōnunquā de suo iure decedere: sed interdū etiā fructu su. Habēda autē est ratio rei familiaris: quā quidē delabi sinere flagitiosū est: sed ita, vt illiberalitatis, auariciæq; absit suspicio. Posse enī liberalitate vti, nō spoliantē se patrimonio, nimirū est pecuniæ fructus maxim⁹. Recte etiā à Theophrasto est laudata hospitalitas. Est enim (vt mihi quidē videtur) val de decorum, patere domos hominū illustrium illustribus hospitibus. Idq; etiā Reipu. est ornamēto: homines externos hoc liberalitatis genere in vrb⁹ nostra non egere. Est autē etiā vehemēter vtile vs, qui honestè multū posse volūt, per hospites apud externos populos valere opibus & gratia. Theophrastus scribit quidē Cimonē Athenis etiā in suos curiales Laciadas

For it is not only a liberall point, to forgo somwhat of his right other while, but sometime also profitable. But regarde of a mannes welth must be hadde: which verely to suffer to decay, is a foule fault: but so, as suspicion of niggardlines, and couetousnes, bee auoyded. For no dout it is the greatest frute of money: that a man be able to vse liberalitie, not making spoile of his liuelihod. Wel also, is hospitalitie praised of Theophrastus. For it is (as me thinketh) verye seemely, noble miennes howses to be open for noble gestes. And that also is an honor to the state: that outlandishe men in our citie do not want this kynd of liberalitie. It is also exceeding profitable to them, who honestly desire to bee able to do much: to preuaile in power, & fauour, by their gealtes, among forein nacions. Theophrastus in dede writeth: that Cimon at Athenes also was a good housekeeper, for the Laciadans of his warde.

Bicause

Bycause he toke order so, & commaunded his baylies: al thinges should bee offerd to whatsoeuer Laciadan turned into his manour.

But these benefites, which bee bestowed by trauaile, & not by large giftes, are employed both vpon the holle common weale, and vppon euery citizen a part. For in lawe to giue aduise, with counsel to helpe, and to furder verye many with this kinde of science: it auaileth very muche, both to the encrease of riches, and also to fauour. Therefore as ther were many worthy thinges of our anceters: so alwayes in gret prise was the knowledge, & the opening of the right well ordeyned ciuill lawe: which trulye, before this turmoile of times, rulers reteyned in the due estimation: now as honour, and as euery degre of worshippe, so the glorye of this science is blotted out. And that is so much the shamefuller, bycause this happened at that time: when he reigned, who in knowledge

 clerely

hospitalē fuisse. Ita enim instituisse, & villicis imperauisse, vt omnia præberentur, quicunq; Laciades in villam suā diuertisset. Quæ autem opera, nō largitione, beneficia dātur: hæc tūin vniuersā Rēpub. tū in singulos ciues cōferūtur. Nā in iure cauere, cōsilio iuuare, atq; hoc sciētiæ genere prodesse quàm plurimis, vehementer et ad opes augēdas pertinet, & ad gratiā. Itaq; cū multa præclara maiorū, tū quàm optimè cōstituti iuris ciuilis sumo sēper in honore fuit cognitio, atq; interpretatio: quā quidē ante hāc confusionē tēporum in possessione sua principes retinuerūt. Nūc vt honores, vt omnes dignitatis gradus: sic huius sciētiæ splendor delet° est. Idq; eò indigni°, quòd eo tēpore hoc contigit, cum is esset, qui omnes superiores,

quibus honore par esset, scientia facile vicisset. Hæc igitur opera grata multis, et ad beneficijs obstringendos homines accomodata. Atque huic arti finitima est dicendi grauior facultas, & grauior, et ornatior. Quidenim eloquentia laudabilius, & præstabilius, vel admiratione audientium, vel spe indigentium, vel eorum, qui defensi sunt, gratia? Huic quoq; ergo à maioribus nostris est in tota dignitate principatus datus, diserti igitur hominis & facile laborantis quodq; in patrijs est moribus, multorum causas & nõ grauatè, et gratuitò defendẽtis, beneficia & patrocinia latè patent. Admonebat me res, vt hoc quoq; loco intermissionem eloquentiæ, ne dicam interitum, deplorarem: ni vererer ne de meipso aliquid

clerely exceded all his forgoers, to whom he had ben pere in honour. This trauaile therfore is pleasureful to many, and very fitte, to binde men with benefites. And the grauer, and gracefuller, and trimmer feate of oratorie is nere colin to this science.

For what is more prayse worthy, and better thã eloquence: either for the admiration of the hearers, or the hope of the needers, or for their cause, who haue ben defended. Therfore to this likewise a preeminence of honour was geuen of our elders. The benefites then, and the pleading of a fine spoken man, and gladly taking paynes, and (as it is in his contrie fashion) both not vnwillingly, and also freely defending many mẽs causes, bee farre spredde abrode.

The matter hath put me in minde: that in this place also I should bewaile the discontinuance, I wyl not say the destruction of eloquẽce: but that I feared, lest touchyng

thing my selfe somewhat I should seeme to complaine. Notwithstandyng wee see what notable oratoꝛs haue been put out of the way: & how in a fewe a hope, in fewer a skill, in many a boldnesse ther remaines. But seing neither all, noꝛ yet many can be either conning in the lawe, oꝛ well spoken men: one yet with his trauail may furder many: that seeweth foꝛ their commodities: that speaketh in their fauour to the iudges, and magistrates: that sleepeth not out an others cause: that entreateth those same, who either be counseilers, oꝛ defenders: which who so do, they attein very muche fauour, and their painfulnesse floweth all abꝛode.

Now they ar not to be admonished of this (foꝛ it is well known) that they take heede: whē they wyll helpe other, that they offēd none. Foꝛ oftentimes either they hurte thē, whō they shoulde not: oꝛ thē, whō it is not beboueable: if vnwarely they do it, of negligence it is: if

viderer queri. Sed tamē vide mº quibº extinctis oratoribº, quàm in paucis spes, quantò in paucioribus facultas, quàm in multis sit audacia. Cum autem omnes non possint, ne multi quidem, aut iuris periti esse, aut diserti: licet tamen operā prodesse multis, beneficia petentem, commendantem iudicibus, aut magistratibus: vigilantè proꝛe alterius, eoſq; ipsos, qui aut consulunt, aut defendūt rogantem, quod qui faciunt, plurimum gratiæ cōsequūtur, latissimeq; eorum manat industria. Iam illud non sūt admonendi (est enim in promptu) vt animaduertant, cum iuuare alios velint, ne quos offendant. Sæpe enim, aut eos lædunt, quos nō debēt: aut eos quos nō expedit si imprudētes, negligētiæ est:

si scientes, temeritatis. Vtendum enim est excusatione aduersus eos, quos inuitus offendas quacũq; possis, quare id quod feceris necesse fuerit, nec aliter facere potueris, certisq; operis & officijs erit id quod violatum est, compensandum. Sed cũ in hominibus iuuandis, aut mores spectari, aut fortuna soleat: dictu quidem est proclive: Itaque vulgo loquuntur, sese in beneficijs collocandis mores hominum, non fortunam sequi: honesta oratio est.

Sed quis est tandem, qui inopis & optimi viri causæ, non anteponat in opera danda gratiam fortunati & potentis? A quo enim expeditior & celerior remuneratio fore videtur, in cumferè est voluntas nostra propensior. Sed animaduertendum est diligentius,

if wittingly, of rashenesse it comes. You must vse also to them, whom you offende against your wyll, suche an excuse, as ye may: for what cause the same, that you haue done was necessarie, and you could not do otherwise: and that which was done offensiuely, shalbe recompensed with other trauailes, and frēdly doinges.

But wheras, in helping men, either their condicions ar wont to be considered, or their estate: in deede it is soone sayde, and so they do commonly speake: that in bestowing their benefites, they regarde mens maners, and not their estate. An honest saying it is: but who is ther at al, which in bestowyng his trauaile, doth not preferre the fauour of a rich man, and one of power, before the poore, and a right good mans cause? For from whom, we thynke, a spedier, and redier recompence wyll come: to hymwarde commonly our good wyll is the more enclined. But we must marke more diligently, what

what is ye nature of things. For verely though the poore manne can not render due thankes: yet if he be a good man, owe them forsoothe he may. This surely was in place, whosoeuer sayde it: Money who haueth in hād: hath not payde: & who hath payde, haueth in minde: but thankes bothe who hath payde, haueth in munde, and who haueth in mynde, hath rendered. But these, who count them selues rich, honorable, and wealfull, will not bee once bounde to a man for a pleasure: but they think rather, that they haue done a pleasure: when, yea althoughe they haue taken some great thyng, they suspect somwhat. Likewise of them eyther to be craued, or loked for: but they recken it euen like a death: that they shoulde seeme to haue vsed ones furderance, or shoulde be called hāgers on. But ye other poore man, thinking him selfe regarded, and not his state, when any thyng is done vnto him: desires, that he may be thought thankful not

quæ natura rerum sit. Nimirum enim inops ille, si bonus est vir, etiamsi referre gratiam non potest: quia beneuolus habere certe potest. Commodè autem quicunq; dixit, pecuniam qui habeat, non reddidisse: & qui reddiderit, non habere. Gratiam autem & qui retulerit habere, & qui habeat retulisse. At qui se locupletes, honoratos, beatos putant, hi ne obligari quidem beneficio volunt: quin etiam beneficium se dedisse arbitrantur, cum ipsi quanuis aliquid magnum acceperint, atq; etiam à se aut postulari, aut expectari aliquid suspicantur. Patrocinio vero se vsos, aut clientes appellari, mortis instar putant. At vero ille tenuis cum quicquid factum sit, sese spectatum, non fortunam putat: non modo

illi, qui eſt meritus, ſed etiã illis, à quibus expectat (eget enim multis) gratũ ſe videri ſtudet. Neq; vero verbis auget ſuũ munus, ſi quo forte fũ gitur: ſed etiã extenuat, videq; dũq; illud idẽ, quod ſi opulentiũ, fortunatiũq; defenderis: in vno illo aut forte in liberis eius manet gratia. Sin autẽ inopẽ, probũ tamen & modeſtũ, omnes non improbi humiles (quæ magna in populo multitudo eſt) præſidiũ ſibi paratũ videt. Quamobrẽ melius apud bonos, quã apud fortunatos beneficium collocari puto. Danda tamẽ omnino opera eſt, vt omni generi ſatisfaccre poſſimus. Sed ſi res in contentionẽ veniet, nimirũ Themiſtocles eſt author adhibendus: qui cum conſuleretur vtrum bono viro pauperi, aut minus probato diuiti filiam collocaret:

onely to him, who haue deſerued it: but alſo to thẽ (for he ſtãdes in neede of many) of whõ he lookes for ought. For yet with wordes he ſettes out his ſeruice, if perhappes he do any, but alſo abaceth it. And thiſſame point is to be cõſiderd: that if you defend a riche, and a welthy man: the thanke remaines in him alone, or perchaunce in his children: but if you do it for him, that is poore, and yet honeſt, & diſcrete: all the meane degree, being not diſhoneſt, (which is a great multitude among the people) doe ſee ſuccour prepared for thẽ. Wherfore I thunk a benefite better to be beſtowed vpõ good men, than vppon riche. Yet alwayes we muſte geue our endeuour, that we may content all maner of men: but if the matter ſhal come into compariſon: verily Themiſtocles is to be taken for an author: who, when he was aſked counſel, whether one ſhold beſtowe his daughter vpõ a good poore man, or a riche manne not ſo honeſt:

I

I (quod he) do rather lyke a man, who lacketh money, than money which wanteth a man.

But maners be corrupted, & marred, by ouerregarding riches. What doth the great store therof pertein to euery one of vs? Peraduenture it helpeth him, that hath it: & that fals not always. But graunt, it helpes: in dede he may bee the mightier, but which way maye he bee the honester manne? And if the rich man be also a good man: lette not his riches hinder him, & cause him to find the lesse helpe, so they further him not: and lette a mans hole iudgement be, not how rich, but what maner manne one is. And in bestowing benefites, & trauail, the last lesson is: that you labour nothing against equitie, & nothing with wrong.

For iustice is the ground of a continual cõmendacion, & fame: without whiche, nothyng can bee praisable.

But seing we haue spokẽ of such kind of benefites, as belong to eche seuerall man: here-

ego vero, inquit, malo virũ, qui pecunia egeat, quàm pecuniã, quæ viro. Sed corrupti mores, deprauatiq; sunt admiratione diuitiarũ: quarũ magnitudo quid ad vnumquẽq; nostrũ pertinet? illum fortasse adiuuat, qui habet: ne id quidẽ sẽper. Sed facit iuuare, potẽtior sanè sit, honestior vero quomodo? Quòd si etiã bonus erit vir: ne impediant diuitiæ, quo minus iuuetur, modò ne adiuuent, sitq; omne iudiciũ non quàm locuples, sed qualis quisq; sit. Extremũ autẽ præceptum in beneficijs operaq; danda est, nequid contra æquitatẽ contendas, nequid pro iniuria. Fundamentũ enim perpetuæ cõmendationis & famæ est iustitia, sine qua nihil potest esse laudabile, sed quoniã de eo genere beneficiorũ dictũ est, q̃ ad singulos spectãt,

deinceps de iis, quæ ad vniuersos, quæq; ad Remp. pertinent, disputandum est. Eorum autem ipsorum partim eiusmodi sunt, vt ad vniuersos ciues pertineant, partim singulos vt attingant, quæ sunt etiam gratiora. Danda est opera omnino, si possit vtrisq;, nec minus vt etiam singulis consulatur: sed ita vt eares aut prosit, aut certe ne obsit Reipub. C. Helij, & T. Gracchi frumentaria magna largitio fuit, exhaurichat igitur ærarium, modica M. Octauij, & Reip. tolerabilis, & plebi necessaria: ergo & ciuibus & Reip. salutaris. In primis autem videndum erit ei, qui Remp. administrabit: vt suum quisq; teneat: neq; de bonis priuatorum publicè diminutio fiat. Permitiose enim Philippus in tribunatu,

hereafter we must treate of those which perteine to al men, & to a common weale. And some of those same be of such sorte, that they perteine to the hole nomber of citizens: some that they cõcerne euery sere man: which be also more fauourfull. Diligẽce doutlesse ther must be geuẽ, if it may, that it be prouided for both: & no lesse also, for euery one: but so, as the thing either may furder or at leil not hinder the cõmõ weale. Caius Gracchus cornedole was gret: he wasted therfore the treasurie: Marcus Octauius made suche a one, as was measurable, and as the common weale might beare, and necessarie for the people: and therfore wealful both to the citizens, & also to the state. But specially it muste be sene to of hym, who shal gouerne the cõmon weal: that euery man keepe his owne: and that ther be no imparting of priuate mens goods for common charges. For Philippus did dangerously in his Tribunelhippe, when

when he made the law cõcerning landes: which yet he soone suffered to be repealed: and therin maruaillously he showed hymself a sober man: but as hee dyd euill, in setting forth many thynges people pleasingly: so thys he spake euil: that there were not in the citie two thousand mẽ, who had any substance.

It is surely a mischeuous sayeng, and soūding to the makyng of goods common: e what greater pestilence can ther be, than that? For commonwelthes, and coūtries are ordeined to thys ende specially, that menne may kepe their owne.

For although men assembled togither, nature being guide: yet they sought the defenses of cities, for hope of safekeeping of theyr goodes.

There muste also good heede be giuen: that (as often it happened among our auncetors) for the poorenes of the treasurie, and contynuāce of the warres, a tribute be not nedefull to bee

cum legem agrariam ferret Philippus tribunus *quam tamen antiquari facilè passus est, & in eo vehementer se moderatum præbuit, sed cum in agendo multa populariter, tum illud male dixit: non esse in ciuitate duo millia hominum, qui rem haberent.*

Capitalis oratio est ad æquationem bonorum pertinens.

Q ua peste quæ potest esse maior? Hanc enim ob causam maxime vt sua tuerentur, Resp. ciuitatesq; constitutæ sunt. Nã & si duce natura congregabantur homines, tamen, spe custodiæ rerum suarum, vrbium præsidia quærebant.

Danda etiam opera est, ne (quod apud maiores nostros sæpe fiebat) propter ærarij tenuitatem, assiduitatemque bellorum tributum sit

conferendum. Idque ne eueniat, multò ante erit prouidendum. Sin qua necessitas huius muneris alicui Reipub. obuenerit (malo enim alteri quàm nostre ominari, neque tantum de nostra, sed de omni Repub. disputo) danda erit opera, vt omnes intelligant, si salui esse velint, necessitati esse parendum.

Atq; etiam omnes qui Rẽp. gubernabũt, cõsulere debebunt, vt earum rerum copia sit, que sunt necessariæ.

Quarũ qualis comparatio fieri soleat, & debeat, nõ est necesse disputare. Est enim in promptu. tantum locus attingendus fuit. Caput autem est in omni procuratione negoty & muneris publici, vt auaritiæ pellatur etiam minima suspicio,

paid. And longe before it must be prouided, that it may not befall. But if any necessity of this dutie shall happen vpon any commonweale (for I had rather prophecie to some others, than to owres, and yet I reason not of owres, but of euery commonweale) ther must be giuen a diligence, that al men may vnderstande, that if they will be in safetie, they must obey necessitie.

And moreouer all such as shall rule the commonweale, ought to prouide, that there bee store of those thynges, whych are necessarie.

Of which it is not needefull to dispute, what a prouisio. is, is wonte, and ought to be made, for the matter is manifeste, thys place was no more but to be touched.

But the chiefe point is, in al administracio of matters, and commonweale offices, that euẽ the least suspicion of couetousnesse be auoided.

Words

Would God, quoth Caius Pontius the Samnite, fortune had reserued me to those daies, and I had thē been borne, when the Romaines begonne once to take bribes, I woulde not suffer them any lenger to rule. He neded not ywis to haue taryed for manie woldes.

For of late thys mischiefe entered into this commonweale. Therefore I am well content, that Pontius rather liued then, if ther was in hym so much manhode in deede.

Not yet a hundred, and tenne yeres be past, sins the lawe of pillage was made by Lucius Piso, whereas none before had been.

But afterwarde followed so many lawes, and euery of the latter, the harder: so many accused, so many condempned, so great an Italian warre, raysed in feare of iudgementes: when lawes, and iudgementes were taken away, so great polling, and robbing of leagefrendes,

vtinam, inquit C. Pontius Samnis, ad illa tēpora fortuna me seruasset, & tunc essem natus, quando Romani dona accipere cœpissent: non essem passus diutius eos imperare. Ne illi quidem multa sæcula expectanda fuerunt modo enim hoc malum in hanc Remp. inuasit. Itaque facile patior, tunc potius Pontium fuisse, siquidem in illo tantum fuit roboris. Non dum centum & decem anni sunt, cum de pecunijs repetundis à L. Pisone lata est lex, nulla antea cum fuisset.

Caius Pontius

Lucius Piso.

At vero postea tot leges & proxime quæque duriores, tot rei, tot damnati, tantum Italicum bellum propter iudiciorum metum, excitatum, tanta sublatis legibus & iudicijs expilatio, direptioque sociorum,

vt imbecillitate aliorum nō noſtra virtute valeamus. Laudat Africanum Panætius, q̄ fuerit abſtinens quid ni laudet? ſed in illo alia maiora. Laus enim abſtinētiæ non hominis eſt ſolū, ſed etiam temporum illorum. Omni Macedonum gaza, quæ fuit maxima, potit' eſt Paulus: tantum in ærarium pecuniæ inuexit, vt vnius imperatoris præda finem attulerit tributorū. At hic nihil in domum ſuam intulit, præter memoriam nominis ſempiternam.

Imitatus patrem Africanꝰ nihilò locupletior Charthagine euerſa. Q̄uid? qui eius collega in cenſura fuit L. Mummius, nunquid copioſior cū copioſiſſimā vrbē funditus ſuſtuliſſet? Italiam ornare, quam domum ſuā maluit. Q̄uanq̄ Italia

that by the weakneſſe of other, not by our prowes, we do preuaile. Panetius praiſeth Africanus, becauſe he was no taker. Why ſhould he not be praiſed? But other greater thinges ther were in hym. For the prayſe of reſtrayning frō taking is not only ✝ mās, but alſo that times. Paulus got all the Macedonians treaſure, whych was exceding great: he brought ſo much riches into the treaſurie, that one capteines bootie made an end of tributes: but he bout nothing into his houſe, ſaue an euerlaſting memorie of hys name.

Africanus folowed his father, nowhyt the more enriched by Cartage razed. what of Lucius Mummius, who was hys office fellow in the Cenſorſhippe? was he any deale the richer when by the ground he had ouerthrowne the moſt rich citye? Hee was willing rather to bewtifie Italie, than hys own houſe: although Italy being

being beautified, hys verye house seemeth to mee the beautifuller. No vice then is ther fowler (that thyther my talke may return, from whence it is strayed) than couetousenesse: specially, in princes, and commonweale rulers.

For it is not onelie dishonest, but wicked also, and shamefull to make a gain of the commonwelth.

Therfore whereas Apollo Pithyus gaue out by oracle: that Sparta no other way, but by couetousnesse should come to distruction: the same he semeth to haue prophecied not onely to the Lacedemonians but also to al welthie peoples.

For they who rule ouer ye commonweale, may by no meanes sooner wynne the good wil of the multitude: than by a refrayning hand, and stayednesse.

But whoso wyll be people pleasers: and for that cause, do either attempt the matter of landes, that the oweners may be driuē frō their holds: orels do think mete,

ornata, domus ipsa videtur mihi ornatior. Nullū igitur vitiū est tetrius (vt eò, vnde egressa est referat se oratio) q̄ auaritia, præsertim in principibus et Remp. gubernantibus. Habere enim quæstui Remp. nō modò turpe est, sed sceleratum etiam & nefarium. Itaq̄ue quod Apollo Pythius oraculo edidit, Spartā nulla re alia nisi auaritia esse periturā: id videtur non solum Lacedæmonijs, sed etiam omnibus opulentis populis prædixisse. Nulla autem re cōciliare facilius beneuolentiam multitudinis possunt ij, qui Reip. præsunt, quām abstinentia & continentia.

Qui vero se populares volunt, ob eamq̄ue causam aut agrariam rem tentant, vt possessores suis sedibus pellantur, aut pecunias creditas debitoribus

condonandas putant: ij labefactant fundamẽta Reipubli. concordiam primum, quæ esse non potest, cum alijs adimuntur, alijs condonantur pecuniæ. Deinde æquitatem: quæ tollitur omnis, si habere suum cuique non licet.

Id enim est proprium, vt supra dixi, ciuitatis atque vrbis, vt sit libera, & non solicita suæ rei cuiusq; custodia. Atque in hac pernicie Reipubli. ne illam quidem consequtuntur, quã putant gratiam.

Nam cui res erepta est, est inimicus: cui data est etiam dissimulat se accipere voluiste, & maximè in pecunijs creditis occultat suum gaudium, ne videatur non fuisse soluendo.

that loned money bee remitted to the detters: they shake the foundations of the commonweale: fyrste they take away concorde: which cannot bee, when money is pulled from some, and forgiuẽ to other some, next they bannish equitie: which is hollie rooted out: if it be not lawful for euery man to haue his owne.

For that is the proper end, as I sayd before, of a citie, and borough: that ther be a free, and no troublesome keping of euery mans own good.

And in this mischief of the commonweale, they do not atten such fauour, as they suppose they do.

For he, from whom goodes be taken, is becomme an enemie: he also to whome they are giuen, makes, as though hee is not wylling to take them: and moste of all hee hydes hys ioye in loned money forgyuen: leste hee maye seeme to haue been vnable to paye it.

But

But surely he that receyueth the wrong, both beareth hys griefe in remembraunce, and showeth it in sight: neither if they be mo, to whom wickedlie it hath been giuen, than they, frō whom vniustlie it hath ben taken: it foloweth ẏ therefore they be also more in power.

For these thinges be iudged not by number, but by weyght. And what equitie is in this? ẏ he shoulo haue land who hath had none: & he should forgo lande, who hath had it many yeres, yea or hunderds of yeres before continued in possession.

But, for this kinde of iniurie, the Lacedemonians draue out Lysander the Ephorean, and they slewe Agis the king: which had neuer happened among thē before. Wherof folowed, at that time, so great discēsions, that there arose tyrantes, and their noble mē were exiled and a very wel ordered commonweale wēt to ruine.

At vero ille qui accipit iniuriam, & meminit, & præ se fert dolorem suum, nec si plures sunt ij, quibus improbè datū est, quā illi quibus iniustè ademptum est, idcirco plus etiam valent. Non enim numero hæc iudicantur, sed pōdere. Quā autem habet æquitatem, vt agrum multis annis, aut etiam sæculis antè possessū, qui nullum habuit, habeat, qui autem habuit, amittat? Ac propter hoc iniuriæ genus Lacedemonij Lysandrum Ephorum expulerunt: Agin regem (quod nunquam antea apud eos acciderat) necauerunt. Ex quo tempore tantæ discordiæ secutæ sunt, vt tirāni existerent, & optimates exterminarentur, & præclarissimè constituta Respubli. dilaberetur.

Lacedemo exiled Lysan

Nec vero ſolum ipſa cecidit: ſed etiam reliquam Græciam euertit contagionibus malorum, quæ à Lacedemonijs profectæ manarunt latius. Quid? noſtros Gracchos Tib. Gracchi ſũmi viri filios, Africani nepotes, nonne agrariæ contẽtionis perdiderunt? At vero Aratus Sicyonius iure laudatur: qui cum eius ciuitas L. annos à tirannis teneretur, profectus Argis Sicyonem, clandeſtino introitu vrbe eſt potitus cumque tyrannum Nicoclem, improuiſo oppreſſiſſet, ſexcentos exules, qui fuerant eius ciuitatis locupletiſſimi reſtituit, Remq; p. aduentu ſuo liberauit.

Sed cum magnum animaduerteret in bonis & poſſeſſionibus difficultatem quòd & eos, quos & ipſe

Not truelie, their ſtate onely had a fal: but alſo it ouerthrewe the reſt of Greece, with the infections of miſchiefes: which ſpringing from the Lacedemonians, did flowe farder abrode. What of our Gracchi, Tiberius, Gracchus the noble mannes ſonnes, Africanus childerns children: did not landſtriues bring them to diſtruction?

But in deede Aratus the Sicyonia is rightfully cõmended: who, when hys citie was fiftie yeres wythholden by tyrantes: being departed from Argos to Sicyõ, with a pryuie ſtolne entrie, gotte poſſeſſion of ỹ citie: and when, vpon a ſoden, he had ouerthrowen the tyrãt, Nicocles: he reſtored home againe fyr hũdred baniſht men, who had been the greateſt poſſeſſioners of the citie: and by hys commyng, ſet the commonweale at liberty.

But when he perceyued ỹ great inconuenience in the goodes, and poſſeſſions: becauſe both he thought it very

very vnreasonable, that they should lacke whom he hymselfe had restored, whose goodes other had possessed: and agayn to remoue fiftie yeres possession, he iudged it not very indifferent: because that in so long a space much by inheritance, much by sale much by dower, was holden: without wrong he thought it was necessarie: neither the goods to be taken from them, nor those to be vnsatisfied, whose they had been before. When he had then determined, that he should neede money, for the ordering of the matter: he sayd, he would make a viage to Alexandria: and commaunded the matter to remaine vntouched, vntyll his returne.

And he wyth speede went to Ptolemeus, who had been his enterteiner: which then raygned the seconde, after the building of Alexandria: to whom when hee had declared, that he was minded to set his countrye at libertie: and had enfourmed hym of ỹ case: ỹ noble man

restituerat, quorũ bona alij possederant, segere iniquissimum arbitrabatur: et Lanorum possessiones mouere non nimis æquum putabat propterea quòd tam longo spatio multa hæreditatibus multa emptionibus, multa dotibus tenebãtur, sine iniuria iudicauit: neque illis adimi, neque his non satisfieri, quorum illa fuerant, oportere.

Cum igitur statuisset opus esse ad eam rem cõstituendã pecunia: Alexandriam se proficisci velle dixit, remq; integram ad reditum suum iussit esse. Isque celeriter ad Ptolemæum suum hospitem venit, qui tum regnabat alter post Alexandriam cõditam: cui cum exposuisset, patriam se liberare velle, causamque docuisset: a rege opulento vir summus

facile impetrauit: vt grandi pecunia adiuuaretur.

Quam cum Sicyonem attulisset, adhibuit sibi in consiliū quindecim principes: cum quibus causas cognouit, & eorum qui aliena tenebant, & eorum, qui sua amiserant, perfecitque æstimandis possessionibus, vt persuaderet alijs vt pecuniam accipere mallent, & possessionibus cederent: alijs, vt commodius putarent numerari sibi, quod tanti esset, quàm suum recuperare.

Ita perfectum est, vt omnes constituta concordia sine querela discederent.

O virum magnum, dignūque, qui in nostra Repub. natus esset.

Sic par est agere cum ciuibus nō (vt bis iam vidim') bellum

man soone obteined of the rich king, to be ayded wyth a masse of money.

which whē he hadbrought into Sicyon, hee tooke to him in counsell fifteene of his nobles, with whom he examined the cases both of them who did withholde othermens, and of theirs, who had lost their owne, & did putte these fifteene in commission for the valewing of possessions, and to perswade some, that they would be willinger to take money, and release their possession, and other some, to thinke, that to haue as much payde them in valew, it were more profitte, than to recouer their owne. So it camme to passe, that they all departed withoute complaint, by a wel ordered concorde.

O manne of much honour, and worthie to haue been borne in our commonweale.

Thus it is meete to deale with citizens: and not (as twise alredye we haue sene

to

to pitche a salestaffe in the marketplace and to put the goodes of the citezens in ye cryers mouthe. But that Greeke thought meete to prouide for all, which was the parte of a wise, and a worthie manne. And that is the greatest discretion, and wisedome of an honorable citiezen to defend, not to pull away the citiezens commodities and to contein them all within one maner of equitie.

But somme will say, menne maye dwell rentfree in an others house. Why so?

That whē I haue bought it, haue builded it, doo repaire it, do lay charges vpon it, thou shouldest haue ye vse of mine against my wil? What is this els, but from some to take their owne, and to some to giue other mennes.

And as for the new tables, wat reason haue they? but that you may bie land with my money, and possesse it your self, and yet I may not haue my money.

Wher

hastam in foro ponere & bona ciuium voci subijcere præconis. At ille græcus, id quod fuit sapientis & præstantis viri, omnibus consulendum putauit.

Eaqúe est summa ratio, & sapientia boni ciuis, commoda ciuium defendere, non diuellere: atqúe omnes æquitate eadem continere.

Habitant gratis in alieno. Quid ita? vt cum ego emerim, ædificauerim, tuear, impendam, tu me inuito fruare meo. quid est aliud alijs sua eripere, alijs dare aliena?

Tabulæ vero nouæ quid habent argumenti, nisi vt emas mea pecunia fundum, & eum tu habeas, ego non habeam pecuniam.

Quamobrem ne sit æs alienum, quod Reipub. noceat prouidendum est: quod multis rationibus caueri potest, hoc si non fuerit, vt locupletes suum perdant, debitores lucrentur alienum.

Nec enim vlla res vehementius Rempub. continet, quàm fides: quæ esse nulla potest, nisi erit necessaria solutio rerum creditarum.

Nunquam vehementius actum est quam me consule ne solueretur. Armis & castris tẽtata res est ab omni genere hominum & ordine: quibus sic restiti, vt totum hoc malum de Repub. tolleretur. Nunquam nec maius æs alienum fuit, nec melius nec facilius dissolutum est. Fraudandi enim spe sublata, soluendi necessitas consecuta est. At vero hic noster victor, nunc quidem victꝰ,

Wherfore it must be prouided: that ther be no dette, which may hinder the commonweale: which thyng may be looked to, many wayes: if thys be not suffered: that possessioners lose theyr owne, nor detters gain other mens.

For nothyng more stronglie preserueth a commonweale, than faythfulnesse: which can be none at al, except ther be of necessitie a payment of thinges loned.

For neuer more earnestlye it was gone about, thã whẽ I was Consull, that there should be no payments.

The matter was attempted wyth speare, and shield, by euery sort, and degree of men: whom in such wyse I withstode, that this so great a mischief was rooted out of the commonweale. Neuer was there more dette, nother better, nor eslyer payed. For when hope of defrauding was takẽ away, necessitie of payment followed.

But this our conquerour, nowe verelie conquered,

hath

hath compassed those thinges, which he purposed: whereas now he is neuer a whit the better. So great was hys desyre to doo noughtily: that euē the verie dooing of noughtinesse delited him, although he had no occasion. They thē, who shall vpholde the cōmonweale, must kepe them away from this maner of large gifts: that to somme they be giuen, and from other they be taken: and specially must geue their diligence: that by equitie of law, and iudgement euerie man may holde hys owne: and neither the power sorte, for their small abilitie, bee deceiued by coume: nor enme may hinder the rich either to keepe, or recouer their owne: moreouer, by what meanes soeuer they can, eyther in warre or peace, lette them enlarge the commonweale, with dominion, lande, and custome.

These be the dedes of noble men: these were practised amonge our aunceters: these

quæ cogitārat, cum ipsius intereat, ea perfecit, cum ei tam nihil interesset.

Tanta in eo peccandi libido fuit, vt hoc ipsum eū delectaret, peccare, etiam si causa non esset. Ab hoc igitur genere largitionis, vt alys detur, alys auferatur, aberūt ij, qui Rempub. tuebūtur. In primisque operam dabunt, vt iuris & iudiciorum æquitate suum quisque teneat: & neq; tenuiores propter imbecillitatē circūueniantur: neq; locupletib⁹ ad sua vel tenenda, vel recuperanda obsit inuidia. Præterea quibuscunq; reb⁹ vel bello vel domi poterunt, Rempub. augeant, imperio, agris, vectigalibus.

Hæc magnorum hominum sunt hæc apud maiores nostros factitata.

Hæc genera officiorum qui perſequuntur, cum ſumma vtilitate Reipub. magnum ipſi adipiſcentur & gratiam, & gloriam.

In his autem vtilitatum præceptis Antipater Tyrius Stoicus, qui Athenis nuper eſt mortuus, duo præterita cenſet eſſe à Panætio: valetudinis curationem, & pecuniæ: Quas res à ſummo philoſopho præteritas arbitror, quod eſſent faciles, ſunt certe vtiles. Sed valetudo ſuſtentatur notitia ſui corporis, & obſeruatione, quæ res aut prodeſſe ſolcant aut obeſſe: & continentia in victu omni atque cultu, corporis tuendi cauſa: & prætermittendis voluptatibus: poſtremo arte eorum, quorum ad ſcientiam hæc pertinent.

Res autem familiaris quæ-

these kindes of duties who ſo folow: ſhall with very great profit to the commō weale, get themſelues both gret fauour, and glorie.

But in theſe precepts of profit, Antipater of Tyre, the Stoik, who late dyed at Athenes, thinkes, that two precepts be ouerſcaped of Panetius: tendering of helth, and prouiſion of money.

Which things I ſuppoſe to haue been ouerpaſſed by ỹ noble philoſopher, becauſe they wer light matters: yet without dout, they be profitable.

But helth is preſerued, by knowledge of ones owne bodie, and marking thoſe thinges, which ar wonte either to doo good, or harm and by a ſtayednes both in all a mannes diet, and apparail, for cherishing of the bodie, and alſo forbearing pleaſures, and laſtlie, by their conning, to whoſe ſcience theſe thynges pertaine.

But a mannes ſubſtance

must

must bee gotten, by those things, which be farre from dishonesty: and must be saued by diligẽce, and honest sparing and by those same meanes also, it must be encreased.

Xenophon the Socratian hath gone thorowe these thinges very handsomelie, in that booke which is intitled Economicus: the which we tourned oute of greeke into latine, whẽ we were at the same age in a maner, as you ar now.

But comparing of profittes (because this fourte place was ouerpassed by Panetius) is oftentimes necessarie. For bothe the gifts of the bodie, ar wonte to bee compared with fortunes giftes, and also fortunes gyftes with the bodies giftes, and those of the bodie one with an other: & those that fortune gyues, likewise one with an other. The bodies gifts be cõpared wt fortunes, after this sorte: ẏ ye had rather be in helth, thã be rich: fortunes gifts be cõpared wt bodies

ri debet iis rebus, à quibus abest turpitudo: conseruari autem diligentia & parsimonia: iisdem etiam rebus augeri.

Xenophon

Has res commodissime Xenophon Socraticus persecutus est in eo libro, qui œconomicus inscribitur: quem nos ista fere ætate cum essemus, quae es tu nunc, è græco in latinum conuertimus.

Sed vtilitatum compar ratio (quoniam hic locus erat quartus à Panætio prætermissus) sæpe est necessaria. Nam & corporis commoda cum externis, & externa cum corporis: & ipsa inter se corporis: & externa cum externis comparari solent.

Cum externis corporis, hoc modo comparantur: valere vt malis, quàm diues esse. Cum corporis externa,

hoc modo: diues esse potius, quàm maximis corporis viribus.

Ipsa inter se corporis sic: vt bona valetudo voluptati anteponatur, vires celeritati. Externorum autem, vt gloria diuitijs, vectigalia vrbana rusticis. Ex quo genere comparationis illud est Catonis senis à quo cum quæreretur quid maxime in re familiari expediret: respondit, bene pascere. Quid secũdum? satis bene pascere: Quid tertium? bene vestire.

Quid quartum? arare. Et cum ille qui quæsierat dixisset: quid fœnerari? Tum Cate, quid hominem, inquit, occidere?

Ex quo, & multis alijs intelligi debet, vtilitatum comparationes solere fieri:

in this wise: that you had rather be rich, than of very great strength of bodie. Those of the body be compared one with an other, thus that good helth be preferred before pleasure, and strength before swiftnesse. But fortunes giftes be cõpared togither, this way: that glorie be estemed before riches, and citietribute before the countreys.

Of the which kinde of comparison is that sayeng of Cato the olde manne: of whom when it was demãded, what was most profitable for a mans substãce: he made aunswer, To feede wel: what the second, To feede sufficiently wel: what the third, To cloth well: what the fourte, To plow: and when he, who had mooued the question, had sayd: What, to lend vpon vsurie? then, What is it, quoth Cato, to kill a man?

Wherupon, and of many other things it ought to be gathered, that comparisons of profittes ar wont to bee made: and that this is very

wel

well adioyned for the fourt point of serchyng out of duties.

But of this holie matter, of gettyng money, of bestowyng the same, and also of vsing it: farre better it is disputed by certeine honest men, sitting at the middle Jane, than of any philosophers in any schoie Yet are they to be knowne, and of them in this booke we haue treated.

The rest wyll we prosecute hereafter.

& rectè hoc adiunctum esse quartum exquirendorū officiorum genus. Sed toto hoc de genere, de quærēda, de collocanda pecunia, etiam de vtenda, cōmodius à quibusdam optimis viris ad Ianum medium sedentibus, quā ab vllis philosophis vlla in schola disputatur. Sunt tamen ea cognoscenda. Pertinent enim ad vtilitatem, de qua hoc libro disputatum est. Reliqua deinceps persequemur.

M. TVLLII CICERONIS, DE OFFICIIS Liber tertius.

QVBLIVM SCIpionem, Marce fili, eum qui primus Africanus appellatus est, dicere solitum scripsit Cato, qui fuit ferè eius æqualis: nunquàm se minus otiosum esse, quàm cum otiosus: nec minus solum, quàm cum solus esset. Magnifica vero vox & magno viro ac sapiente digna: quæ declarat illum, & in otio de negotijs cogitare, & in solitudine secum loqui solitum: vt neq; cessaret vnquam, & interdum colloquio alterius non egeret: Ita duæ res, quæ languorem afferunt cæteris, illum

¶ MARCVS TVLLIVS CICEroes third booke of duties, to Marcus his sonne.

THe same Publius Scipio, sonne Marke, who the fyrste African was named, woulde commonly say: as Cato hath written, who was in a maner his like in yeres: That he was neuer moze leasureleste, thã whan he was leasurefull: and neuer leste alone, than whan he was all alone. A noble sayeng surely, & meet foz a wozthy, and wise mã: whiche declareth, that he both in his leasure was wõt to muse of matters to bee done: & also in his solitarinesse, to debate them with hym selfe: so as he was nothing idle at any time, and sometime neded not the cõmunicatiõ of other. And to these two thinges, leasure, and solitarinesse, whiche bring a quietnesse vpõ other, made

made hym the quicker. I wold wish, that we likewise might truely saye the very same. But although by imitation we ar not able to attaine so greate excellence of witte: yet doutlesse in desire we come verye nere hym. For both by wicked warre, and power, being put of frō common weale matters, & iudicial causes, we take our quiet leasure: and for that cause leauing the citie, and walking abrode in the contrie, oftetimes we be alone. But neither this leasure is to be compared with Africanus leasure: nor this solitarinesse, with that of his. For he ceasyng from the goodlye ministracion of the commonweale, tooke hym selfe leasure otherwhyle: & from the preasse, and resorte of men, now and than into a solitarie place, as into a hauen, withdrew him selfe. But our leasure comes not of desire of rest, but for lack of busines. For seyng the Senate is deposed, and iudgementes abolyshed:

acuebant, otium & solitudo. Vellem & nobis hoc idem verè dicere liceret. Sed si minus imitatione tantā ingenij prastantiam consequi possumus: voluntate certe proximè accedimus. Nam et a Repub. forensibusq; negotijs armis impijs, viq; prohibiti, otium persequimur, et ob eam causam vrbe relicta rura peragrantes sæpe soli sumus. Sed nec otium hoc cum Africani otio, ne solitudo hæc cum illa comparanda est. Ille enim requiescens à Reip. pulcherrimis muneribus, otium sibi sumebat aliquando, & a cœtu hominum, frequentiaq; interdum tanquam in portū se in solitudinem recipiebat. Nostrum autem otium negotij inopia, non requiescendi studio constitutū est, extincto enim senatu deletisq; iudicijs

quid est quod dignum nobis aut in curia, aut in foro agere possimus? Ita qui in maxima celebritate atq; in oculis ciuiũ quondã viximus: nũc fugientes conspectum sceleratorũ, quibus omnia redundant, abdimus nos quantum licet, & sæpe soli sumus. Sed quia sic ab hominibus doctis accepimus, non solũ ex malis eligere minima oportere: sed etiã excerpere ex his ipsis, si quid ineſſet boni: propterea et otio fruor, non illo quidẽ, quo debeat vtijs, qui quondã peperisset otium ciuitati. Nec cã solitudinẽ languere patior, quã mihi affert necessitas, non voluntas. Quanquam Africanus maiorem laudẽ meo iudicio assequebatur: nulla tamen eius ingenij monimenta mandata literis, nullum opus otij, nullum solitudinis munus extat.

what is there, that either in court, or in place of plea, meete for vs, wee may do. Therfore wee, who in the greteſt assemble, and in the eyes of the citizẽs somtime haue liued: now fleeing the sight of the wicked, with whom all places swarme: do withdrawe our selues, as much as we may, and at oftentimes alone.

But bicause thus we haue herd of lerned men: that not only we ought of cupis to choose the leaſt: but also if ther wer any goodneſſe in thẽ, to pike it out: therfore both I enioy quietneſſe: not such wise, as he ought to haue, who once procured quietneſſe to the hoste citie: and also do not suffer that solitarineſſe to ware vde: which neceſſitie brings vpon me, and not mine owne desire. Although Africanꝰ did gette greater praise, eue in my iudgemẽt: yet no monumentes of his witte put in writing, no worke of his quiet life, no frute of his solitarineſſe remaines abrode.

Wherof

Wherof it muſt nedes bee gathered: that he, by earneſt occuppeng of his mynde, and by beating out thoſe thynges, which by muſyng he attepned: was neyther dole, nor at any time alone: but wee, who haue not ſo great depeneſſe of wit, that by ſecrete muſing wee bee drawne from ſolitarineſſe: do turne all our ſtudie, and indeuour to this trauaile of wryting. And therefore we haue written more in a ſhorte ſpace, ſins the ſtate was ouerthrowne: than in many yeres, when it ſtode.

But wheras all philoſophie, my Cicero, is verye good, and frutefull: nor any parte thereof is barreyne, and waſte: yet no place therin is more yeldyng, nor more plentifull, than the place touching duties: from which he borowed the preceptes of lyuyng conſtantly, and honeſtly. Wherefore although I truſt you dayly heare, and receiue this ſame of our Cratippus, prince of Philoſophers in theſe dayes: neuertheleſſe I

Ex quo intelligi debet, illum mentis agitatione, inueſtigationeq; earũ rerũ, quas cogitando conſequebatur, nec otioſũ, nec ſolũ vnquã fuiſſe. Nos autẽ, qui non tantũ roboris habemus, vt cogitatione tacita à ſolitudine abſtrahamur, ad hanc ſcribendi operã omne ſtudiũ, curamq; conuertimus. Itaq; plura breui tẽpore euerſa, quàm multis annis ſtante Rep. ſcripſimus. Sed cũ tota philoſophia, mi Cicero, frugifera, & fructuoſa, nec vlla pars eius inculta ac deſerta ſit: tũ nullus feracior in ea locus eſt, nec vberior, quàm de officijs à quibus conſtãter, honeſteq; viuendi præcepta ducuntur. Quare quanquam à Cratippo noſtro principe huius memoriæ philoſophorum hæc te aſſiduè audire, atque accipere confido: tamen

conducere arbitror talibus aures tuas vocibus vndique circunsonare, nec eas, si fieri possit, quicquam aliud audire. Quod cum omnibus est faciendum, qui vitam honestam ingredi cogitant: tamen haud scio an nemini potius quàm tibi. Sustines enim non paruam expectationem imitandæ industriæ nostræ, magnam honorum, nonnullam fortasse nominis. Susceptisti onus præterea graue et Athenarum, & Cratippi: ad quos cum tanquam ad mercaturam bonarum artium sis profectus, inanem redire turpissimum est, dedecorantem & vrbis auctoritatem & magistri. Quare quantum conniti animo potes, quātū labore contēdere (si discēdi labor est potius quàm voluptas) tantum fac

holde it profitable, that I ring about your eares with suche soundes, on euery side: and that they, if possible it maye bee done, heare none other thyng. Whiche both is to be done of al those that mynde to enter the honest life: and I wotte not whether of any man more, than of your selfe. For you carie an expectacion, not smal of folowing our trade, greate of commyng to our honour, some peraduenture of atteynyng to our fame. You haue taken vpon you moreouer a greate charge, both by reason of Athenes, and also of Cratippus: to the which seing, as to the marte of good sciences, you haue trauailed: to returne emptie, a greate reproche it is, itapyning the worshippe bothe of the citie, and also of your maister. Wherfore as muche as by witte you ar able to compasse: as much as by payne you can endeuour (if to studie bee rather a payne, than pleasure) so muche see, that you do in deede:

heede: and giue no occasion, that seing all thinges ar suffised by vs, you shoulde seeme to haue disapointed your selfe. But of these matters hitherto. For we haue oftentymes written much vnto you, in waye of exhortacion. Nowe to the parte remaynyng of the foresayde diuision lette vs returne.

Panetius therfore, who without dout of duties hath moste diligentlye disputed: and whom we, vsing a certeine correction, haue chiefly folowed: when he hadde sette forth three kyndes, in which menne were wont to counsell, and aduise them selues of dutie: the one, whē they shoulde dout, whether it, wherwith they were in hande, were honest, or dishonest: the other, whether it were profitable, or vnprofitable: the third, if that, whiche shoulde haue the showe of honestie, shoulde striue with it, that seemed profytable: howe it shoulde bee necessarie

vt efficias: neue committas, vt cum omnia suppeditata sint à nobis, tute tibi defuisse videare. Sed hæc hactenus. Multa enim sæpe ad te cohortandi gratia scripsimus. Nunc ad reliquam partem propositæ diuisionis reuertamur.

Panætius igitur, qui sine controuersia de officijs accuratissimè disputauit: quemq́ nos correctione quadam adhibita potissimū secuti sumus: tribus generibus propositis, in quibus deliberare homines & cōsultare de officio solerent: vno cum dubitarent honestum ne id esset, de quo ageretur, an turpe: altero vtilè ne, an inutile: tertio si id, quod speciem haberet honesti pugnaret cum eo, quod vtile videretur, quomodo ea discerni

oporteret: de duobus generibus primis tribus libris explicauit: de tertio autē genere deinceps se scripsit dicturū, nec exoluit quod promiserat. Q uod eo magis miror quia scriptū à discipulo eius Possidonio est, triginta annos vixisse Panetiū postquā illos libros edidisset. Q uē locum miror à Possidonio breuiter esse tactū in quibus dā cōmentarijs: præsertim cum scribat nullū esse locū in tota Philosophia tā necessariū. Minime vero assentior ijs, qui negant cū locū à Panætio prætermissū: sed consulto relictum: nec omnino scribē dū fuisse, quia nūquā posset vtilitas cū honestate pugnare. De quo alterū potest habere dubitationē, adhibendum nè fuerit hoc genus, quod in diuisione Panætij tertium est, an plane omittendum.

those same to bee discerned of the first twoo kindes, in three bookes he opened his mynde: and of the thirde kynde, he wrote, he woulde speake afterwarde: and that dyd he not perfourme, whiche he hadde promysed. Whereat I maruaile the more: bycause it is written by his scholar Possidonius: that Panetius liued thirtie yeres after he hadde set forth those bokes. Whiche place I wonder, it was so briefely touched of Possidonius in certeine abridgementes: specially seyng he writes, there is no place in all Philosophie so necessarie. But in no wyse I agre with thē: which deme, this place did ouerskape Panetius: but that of purpese it was leste out: and that it was not to bee written at all: bycause profite myght neuer striue with honestie. Touchyng the whiche, the one may haue in it a doute: whether this part, which in Panetius diuision is the thirde, was to bee added, or vtterly to bee leste out:

the

the other can not bee deuised of: but of Panetius it was taken in hande, and yet ielte vntreated. For who so of a threeparted deuision twoo partes hath finished, to hym the thirde muste needes remain. Moreouer, in his thirde booke, towarde the ende, he promiseth, that afterwarde he wyll speake of this parte. Hereto commeth a substantiall witnesse, Possidonius: who also wryteth in a certeyne letter, that Publius Rutilius Rufus, whiche hadde hearde Panetius, was wont to saye: lyke as no painter might be found, who coulde finishe vp that parte of Venus, which Apelles hadde ielte vnfynyshed: (for the beautie of her face tooke awaye the hope of counterfettyng the reste of her bodye) so those thynges, that Panetius hadde ouerpassed, and had not finished, there was no man to prosecute: bicause of the excellence of those matters, which he had gone thorow withall. wherefore of

P.v. Pa-

Alterum dubitari non potest, quin à Panætio susceptum sit, sed relictum. Nam qui è diuisione tripertita duas partes absoluerit: huic necesse est restare tertiam. Præterea in extremo libro tertio, de hac parte pollicetur se deinceps esse dicturũ. Accedit eodem testis locuples Possidonius, qui etiam scribit in quadam epistola P. Rutilium Rufum dicere solere, qui panætium audiuerat: vt nemo pictor esset inuentus, qui Coæ Veneris cã partem, quam Appelles inchoatam reliquisset, absolueret (oris enim pulchritudo reliqui corporis imitandi spem auferebat) sic ea, quæ Panetius prætermisisset & non perfecisset, propter eorum, quæ fecisset præstantiã, neminem esse persecutũ. Quamobrem de

iudicio Panætij dubitare non poteſt, rectè ne autè hanc tertiã partẽ ad exquirẽdũ officiũ adiunxerit, anſecus: de eo fortaſſe dubitari poteſt. Nam ſiue honeſtũ ſolũ bonũ eſt, vt Stoicis placet: ſiue quod honeſtũ eſt, id ita ſũmũ bonũ eſt (quẽadmodũ Peripatetici noſtris videtur) vt omnia ex altera parte collocata, vix minimi momẽti inſtar habeant: dubitãdum non eſt, quin nũquã poſſit vtilitas cũ honeſtate cõtẽdere. Itaq; accepimus Socratẽ ſolitum execrari eos, qui primũ hæc natura coherentia, opinione diſtraxiſſent. Cui quidẽ ita ſunt Stoici aſſenſi, vt et quicquid honeſtũ eſſet, id vtile eſſe cẽſerent: nec vile quicquã, quod nõ honeſtũ. Quod ſi is eſſet Panætius, qui virtutẽ propterea colendam diceret, quod ea efficiens vtilitatis eſſet: vt ij, qui res expetendas

Panetius iudgement it is not to be douted: but whether he to the ſetthyng out of dutie this thirde parte adioyned well, or no: thereof peraduenture it may be douted. For whether honeſtie be the onely good, as liketh the Stoikes: or els honeſtie in ſuch ſort be the ſouerain good: (as ſemeth to our Peripatetikes) that they coumt all thinges, ſet on the other ſide, of very ſmall weyght in compariſon: it is not to be douted, but that profite can neuer bee at ſtrife with honeſtie. Therfore we haue herde ſaye, Socrates was wont to curſe thẽ: who firſt parted a ſonder in opinion theſe, that by nature were coupled together. To whõ douteleſſe the Stoikes ſo aſſented: that what ſo were honeſt, the ſame alſo they iudged to be profitable: nor any thyng to be profitable, whiche were not honeſte. If Panetius were the manne, who woulde ſaye: that vertus therfore ſhould be honored, bicauſe it is the cauſer of profite: as they, who meaſure thyngs meete

to

is bee desired eyther by pleasure, or vngrieffulnes: he might mainteyne, that honestie sometime striues with profite. But seyng he is the manne, who iudgeth that onely good, whiche is honest: and that mannes life is made neyther the better, by encrease of such thinges, as be repugnaunt to honestie vnder a certeyne showe of profite: nor by decrease of them, the worse: it semes he should not haue brought in suche maner takyng of aduisement: wherein that, which shoulde seeme profitable, shoulde bee compared with that, which is honest. For that, which of the Stoiks is called the soueraigne good, as to liue agreeably to nature: it hath (as I suppose) this meaning: with vertue alwayes to agree: & other things, which should be accordyng to nature, so to chose: if to vertue they wer not repugnant. Which seyng it is so: some suppose, this comparison was not well brought in: nor anye thing at al, touching ẏ brāch should

vel voluptate, vel indolentia metuūtur: liceret ei dicere honestatē aliquando cū vtilitate pugnare. Sed cum sit is, qui ad solum bonum iudicet, quod honestū sit: quæ autem huic repugnent specie quadā vtilitatis, eorū neq; accessione meliorē vitā fieri, nec decessione peiorem: non videtur huiusmodi debuisse deliberationē introducere: in qua quod vtile videretur, cum eo quod honestū est, cōpararetur. Etenim quod summum bonū à Stoicis dicitur, cōuenientēr naturæ viuere, id habet hanc (vt opinor) sententiam, naturā cū virtute cōgruere sēper cætera autē, quæ secundū naturam essent, ita legere, si ea virtuti non repugnarent. Quod cū ita sit, putāt quidē hanc cōparationē non esse rectè introductam, nec omnino de eo genere quicquam

præcipiẽdũ fuisse. Atq; illud quidẽ honestũ, quod propriè vereq; dicitur, id in sapiẽtib⁹ est solis, neq; a virtute diuelli vnquã potest. In ijs autẽ, in quib⁹ sapiẽtia perfecta nõ est ipſũ illud quidẽ perfectũ honestũ nullo modo, sed similitudines honesti esse possunt. Hæc enim omnia officia, de quibus his libris disputamus, media Stoici appellant: & ea cõmunia sunt, & latè patẽt: quæ et ingenij bonitate multi assequũtur, et progressione discendi. Illud autem quod rectũ ijdẽ appellãt, perfectũ atq; absolutũ est: &, vt ijdẽ dicunt, omnes numeros habet: nec præter sapientem cadere in quenquam potest. Cũ autẽ aliquid uctũ est, in quo media officia cõparãtur, id cumulatè videtur esse perfectũ: propterea quòd vulgus quid absit à perfecto, nõ ferè intelligit: quatenus autẽ in-

should haue been taught. And surely that honestie, which is properlie, and truly so called, is in the wyse onely: and from vertue can neuer bee seuered: but in those, in whom is not perfecte wisedome, doutlesse that same perfecte honestie can in no wise bee: semblaunces of honestie there may bee. All these duties therfore, wherupon in these bokes we dispute, the Stoikes call the meane duties: and those bee common duties, and do spread farre, which many atteyne, bothe by goodnesse of witte, and by going forwarde in learnyng. But that, which they call *Rectum*, is the perfite, and absolute dutie: and, as they also say, it hath al his partes: neither can happen to any, but a wise man. And when any thyng is doone, wherein the meane duties may appeare: it seemeth to be fully perfite: bicause the common people almost vnderstandeth not at all, what it wanteth of perfite: but as farre as they vnderstãd,

they

they think, nothing is lefte vndone. And whereas it commonly chaunceth in meeters, and paintinges, and in other thinges mo: that the vnskilfull bee delited, and praise those thinges, that ar not to be praised: for that cause, I beleue, they do so: that in those there is some good grace, that catcheth ỹ ignorant: who in deede be not able to discerne, what fault is in euery thing. And therfore whē they be taught of the vnskilfull, they sone fall from their opinion. The Stoikes thē say, that these duties, whereupon in these bookes we treate, bee (as who sayth) certein seconde sortes of honestie: not proper only to the wise, but cōmō also to al maner of men. Therfore al be allured with these, in whom ther is a forwardnesse of vertue. And when the two Decii, or the two Scipioes bee vouched for manly men: or els when Fabricius, or Aristides bee alledged as iust: neuther of thē for mālines, nor of these for iustice the example is brought

telligit, nihil putat praetermissū. Quod itē in Poematibus & in picturis vsu venit, in alijsq; cōpluribus, vt delectentur imperiti, laudētq; ea quæ laudāda nō sint ob eam credo causā, quod insit in his aliquid probi, quod capiat ignaros, qui ndē quid in vnaquaq; re sit, neqeāt iudicare. Itaq; cū sint docti a peritis, facile desistūt à sentētia. Hæc igitur officia, de quib⁹ his libris disserim⁹, quasi secūda quædā honesta dicūt esse, non sapientū modò propria, sed cū omni hominū genere cōmunia. Itaq; his omnes, in quibus est virtutis indoles, cōmouētur. Nec verò cū duo Decij, aut duo Scipiones, fortes viri commemorātur, aut cum Fabritius, aut Aristides iustus nominatur, aut ab illis fortitudinis, aut ab his iustitiæ tāquā à sapiē-

tib⁹ petitur exẽplũ. Nemo enĩ horũ sic sapiens est, vt sapientẽ volumus intelligi. Nec ĩ, qui sapientes habiti sunt et nominati. M. Cato, & C. Lælius sapientes fuerũt: ne illi quidẽ septẽ, sed ex mediorum officiorũ frequentia, similitudinem quandam gerebant, speciemq́, sapiẽtiæ. Quo circa nec id, quod verè honestũ est, fas est, cũ vtilis repugnantia cõparari: nec id, quod cõmuniter appellamus honestum, quodq́, colitur ab ijs, qui bonos se viros haberi volunt, cũ emolumentis vnquam est cõparandum. Tanq́, id honestũ, quod in nostram intelligentiam cadit, tuendum, conseruandumq́, nobis est, quàm illud, quod propriè dicitur, vereq́, est honestum sapientibus. Aliter enim vteri non potest, si qua ad virtutem est facta progressio.

brought, as of perfite wyse men. For none of these in such sorte is wise, as in this place we wyll haue a wyse manne taken: nor Marcus Cato, and Caius Lelius, who wer counted, and called wise, were perfite wyse menne: no nor those seuen sages of Greece: but by the often vsing of the meane, & common duties, they bore a certeine semblaunce, and showe of wise men. Wherfore neither it is lawful that the thyng, which in deede is honest, be compared with ye contrarietie of the profitable: neither that, which cõmonly we call honest, and which is exercised of them who wyll haue them selues good mẽ to be coũted: with commodities at any time is to be compared: and as wel that honestie, which falleth into our vnderstandyng, is of vs to be maintayned, and kept: as that is, of the wise, whiche properlye is called, and in deede is honestie. For otherwise it can not be holdẽ on, if ther be attended any proceedyng to vertue.

But

But this we saye by them, who by keepyng of duties ar esteemed for good menne. But who doe measure all thynges by profites, and commodities: and wyll not the same to bee ouerweyed with honestie: these ar wont in aduisement taking to cõpare honestie with it, which they reckẽ profitable, good men vse not so to do. Therfore I thinke, Panetius, when he sayde, menne are wont in this comparison to dout: ment the verye same that he spake, that men only ar wõt, but not, that they must needes. For not onely to iudge the thing, that semeth profitable more worth than that, which is honest, but also to compare these togither, and in thẽ to caste doutes, a very fowle shame it is. What is it then, that many times is wõt to bring a doutfulnesse? and seemeth meete to be considered? I suppose, it is, if at any tyme ther befall a doutfulnesse? what maner of thyng it is, wherof cõsideratiõ is takẽ.

For

Sed hæc quidem de iis, qui conseruatione officiorum existimantur boni. Qui autẽ omnia metiuntur emolumentis & commodis, neq; ea volunt præponderari honestate: hi solent in deliberando, honestum cũ eo, quod vtile putant, comparare: boni viri nõ solent. Itaq; existimo Panætium cũ dixerit homines solere in hac comparatione dubitare, hoc ipsũ sensisse quod dixerit: solere modo, non etiã oportere. Etenim non modò pluris putare quod vtile videatur, quàm illud quòd honestum, sed hæc etiam inter se comparare, & in his dubitare, turpissimum est; quid est ergo quod nõnũquã ad dubitationem afferre soleat, considerandumq́ue videatur? Credo si quando dubitatio accidit, quale sit id de quo consideretur.

Sæpe enim tẽpore fit, vt quod plerunq́, turpe haberi soleat, inueniatur non esse turpe. Exempli causa, ponatur aliquid quod pateat latius. Quod potest esse maius scelus, quàm non modo hominẽ, sed etiam familiarem occidere? Nũ igitur se obstrinxit scelere, si quis tyrannum occidit, quanuis familiarem? Populo quidem Romano non videtur, qui ex omnibus præclaris factis illud pulcherrimum existimat. Vicit igitur vtilitas honestatem, immò vero honestas vtilitatem secuta est. Itaq́, vt sine vllo errore diiudicare possimus, si quando cum illo, quod honestũ intelligimus, pugnare id videbitur, quod appellam⁹ vtile formula quedã constituenda est, quam si sequemur in cõparatione rerũ, ab officio nunquam recedemus.

For often, by the time, it comes to passe: that, which for the most part is wont to be counted dishonest is found not to be dishonest. For examples sake, let there bee put some case, that more largely extendeth. What greater mischief can there be than one to kyll not onely a man, but also his familiare? hath he than gilted hym selfe of murder, who hath slaine a tyraunt, all wer he his familiare? To the people of Rome doutlesse it semeth not so: who of all worthye dedes esteemeth that the noblest. With them therfore profite passed honestie: yea rather honestie followed after profite.

Therefore, that without any errour we may be able to iudge: if euer that, which wee call profitable, shall seeme to stryue with it, which is known for honest: a certeine rule is to bee appointed: which if wee wyll folowe in the comparison of thynges, from duetie we shall neuer swarue.

And

And this rule shall be most agreable with the trade, & doctrine of the Stoikes: which verely in these bokes we therfore folow, because although of the auncient Academiks, and our Peripatetiks, (who were once all one with ỹ Academiks) those thynges, which be honest bee preferred before such, as seme profitable: yet these more goodlily be disputed of ỹ Stoiks: to whõe what so is honest: ỹ same semeth profitable: & nothyng semes profitable which is not honest: thã it is of those who reckẽ somwhat to be honest and not profitable, or somwhat profitable, & not honest. But to vs our Academia giues gret libertie: that whatsoeuer most prouable cões in place, ỹ same by our prerogatiue we may lawfully defend. But I returne to ỹ rule. To pul away thẽ any thing from an other, and a man to encrease his commoditie with an other mãs discommoditie, it is more against nature: than death, than pouertie, than payne,

Erit autẽ hæc formula Stoicorũ rationi disciplinæque maximè consentanea: q̃ quidem in his libris propterea sequimur q̃ quanq̃ à veteribus Academicis & Peripateticis nostris quiquondã idem erant, qui Academici q̃ honesta sunt anteponũtur ijs, quæ videntur vtilia: tamen splendidius hæc ab eis differuntur, quib⁹ quicquid honestũ est, idẽ vtile videtur nec vtile quicq̃, q̃ nõ honestum q̃ ab ijs, quibus aut honestum aliquid nõ vtile, aut vtile non honestũ est. Nobis autẽ nostra Academia magnã licentiã dat: vt quodcũq̃ maximè probabile occurrat, id nostro iure liceat defendere. Sed redeo ad formulã. Detrahere igitur aliquid alteri, et hominẽ hominis incõmodo suũ augere cõmodũ, magis est contra naturam q̃ mors, q̃ paupertas, quã dolor

quam cætera, q̄ possunt aut corpori accidere, aut rebus externis. Nā principio tollit cōuictum humanū et societatem. Si enim sic erimus affecti, vt propter suum quisq̄ emolumētum spoliet aut violet alterū, disrumpi necesse est eam, quæ maximè est secundū naturā humani generis societatem. Vt si vnumquodq̄ membrū sensum hūc haberet, vt posse putaret se valere, si proximi membri valetudinē ad se traduxisset, debilitari & interire totū corpus necesse esset: sic si vnusquisq̄ nostrū rapiat ad se cōmoda aliorū detrahatq̄ quicq̄ possit, emolumēti sui gratia, societas hominum et cōmunitas euertatur necesse est. Nam vt sibi quisq̄ malit q̄ ad vsum vitæ pertineat q̄ alteri acquirere, concessum est non repugnante natura.

and other thinges which may happen either to the bodie, or to the outwarde state. For first of al it takes away the conuersation, and felowship of men. For if we shalbe so disposed: that euery man, for his owne commoditie, spoile, & wrong an other: ẏ felowship of mankinde which is moste according to nature muste needes be broke. As if euerie parte of the body should haue this ymaginacion: to think, it might be strong, if it had conueyed to it self ẏ strēgth of the next limmes: of force it shoulde folowe, ẏ the holle bodie shoulde bee weakened, and perysh: euē so if euery one of vs catche to himselfe the commodities of other, and pulleth from eche man what he cā, for his owne profits sake, ẏ felowship, and common cōpanie of men must nedes be ouerthrowne. For it is sufferable, & nature not against it: ẏ euerymā be more willing for himself, than for an other mā to get what so pertaineth to ẏ vse of his life.

Thys

Thys doubteleſſe nature doth not ſuffer: ẏ, with the ſpoile of other, wee encreaſe our riches, ſubſtãce, and welth. And not onely it is ordeined by nature, ẏ is to witte, by the vniuerſall law of nations: but alſo in like maner, by ẏ lawes of people, wherby in euery citie the commonwelth is vpholden: that it ſhold not be lawfull, for a mans own profits ſake, to hurte an other. For the lawes tende to this, & thys they meane that the felowſhip of citiezens be in ſafetie: which whoſo riue a ſonder: thoſe with death, banniſhement, priſonment, and penalties, they ponniſh. And thys much more doth the verye courſe of nature require, which is the law of God & mã: ẏ which whoſo is wylling to obey (al truly wil obey it, ẏ haue a mind to liue according to nature) ſhall neuer ſo offend: ẏ an other mans goodes he would cõuict: and take to himſelfe, ẏ he hath pulled frõ an other. For much more according

Illud quidẽ natura non patitur, vt aliorũ ſpoliis noſtras facultates, copias, opes augeamus. Neq́, vero hoc ſolũ natura, id eſt, iure gentiũ ſed & legib⁹ populorũ, quibus in ſingulis ciuitatibus Reſp. cõtinentur, eodẽ modo conſtitutum eſt, vt nõ liceat ſui commodi cauſa, nocere alteri. Hoc enim ſpectãt leges, hoc volunt: incolumem eſſe ciuium coniunctionem, quã qui dirimũt, eos morte, exilio, vinculis, damno coercent. Atq́ hoc multo magis exigit ipſa naturæ ratio, quæ eſt lex diuina & humana: cui parere qui velit (omnes autem parebunt qui ſecundum naturam volent viuere) nunquam committet, vt alienum appetat, & id, quod alteri detraxerit, ſibi aſſumat. Etenim multo magis eſt ſecundum

naturam celsitas & animi magnitudo, itemq; cõmunitas, iustitia, liberalitas, q̃ voluptas, q̃ vita, quã diuitiæ. Quæ quidem contemnere & pro nihilo ducere comparantẽ cũ vtilitate cõmuni, magni animi & excelsi est. Detrahere autem alteri sui cõmodi causa magis est cõtra naturam q̃ mors, quam dolor, quam cætera generis eiusdẽ. Itemq; magis est secundum naturã pro omnib⁹ gentibus (si fieri possit) conseruãdis, aut iuuandis maximos labores molestiasq; suscipere, imitantẽ Herculẽ illum, quẽ hominũ fama beneficiorũ memor in concilio cœlestiũ collocauit: q̃ viuere in solitudine non modo sine vllis molestijs, sed etiam in maximis voluptatibus abũdantem omnibus copijs, vt excellas etiã pulchritudine & viribus.

to nature is the hyeneſſe, & greatneſſe of corage: & likewiſe comon felowſhip, tuſtice, & liberalitie: than pleaſure, than like, than richeſſe. Which things doutleſſe for a man to deſpiſe, and ſet at nought, in compariſon of common profit: is a ſygne of a great, and hawte corage.

But to pull from an other, for ones owne profits ſake, is more againſt nature: thã death, than ſorow, than the reſt of the ſame kind.

And in lyke maner, more according to nature it is, for the ſauing, and ayding of al nations (if it may poſſiblie be done) to vndertake great trauailes, and paines: folowing that notable Hercules whom mẽs reporte, the recorder of deſertes, hath placed in the companie of thẽ aboue: thã to liue in ſolitarieneſſe, not only without any paines, but alſo in great pleaſures, flowing full of all richeſſe: yea thoughe moreouer you may excel al other, in beautie, and ſtrength.

wher-

wherfore euerieman of the best, & most noble disposy-tion, preferreth that life farre before this. Whereof it comes to passe, that a mā obedient to nature cannot hurt a man.

Furdermore, whoso wrongeth an other, that hymself may get some commoditie: eyther beleues, that he doth nothing against nature, or wenes that he should shōne death, pouertie, sorow, the losse also of childern, kinsfolk, frendes, rather than ẏ doing of iniury to any mā. If he thinketh nothing to be done against nature, in wronging of menne: what shold you reason wyth him which cleane takes awaye mā frō mā? But if he plainly thinketh ẏ meete to be auoided: & yet these hee demeth much worsse, deathe, pouerty sorow: he is in this point out of the way: that hee taketh any discommoditie eyther of the body, or of fortune to be sorer, than the vices of the minde.

Therefore there must be in all menne one entent:

Quocirca optimo quisque splēdidissimoq́ ingenio lōgè illam vitam huic ante ponit. Ex quo efficitur, hominē naturæ obedientē, homini nocere nō posse. Deīde qui alterum violat, vt ipse aliquid commodi consequatur: aut nihil se existimat contra naturā facerē: aut magis fugienda censet mortem, paupertatem, dolorē, amissionē etiā liberorum, propinquorum, amicorum, q̄ facere cuipiam iniuriam. Si nihil existimat contra naturam fieri hominibus violandis: quid cum eo disseras, qui omnino hominem ex homine tollat? Sin fugiendum id quidem censet, sed multò illa peiora, mortem, paupertatem, dolorem: errat in eo quòd vllum aut corporis aut fortune vitium, animi vitijs grauius existimat. Ergo vnum debet esse omnibus propositum

vt eadem sit vtilitas vniuscuiusq; & vniuersorum: q̃si ad se quisq; rapiat, dissoluetur omnis humana consociatio. Atq; si etiã hoc natura præscribit, vt homo homini quicunq; sit, ob eam ipsam causam, q̃ is homo sit, consultum velit: necesse est secũdum eandem naturã, omniũ vtilitatem esse communem. Quod si ita est, vna cõtinemur omnes, & eadẽ lege naturæ. Idq; ipsũ, si ita est, certe violare alterũ naturæ lege prohibemur, verũ autẽ primum verum igitur et extremum. Nam illud quidem absurdum est, q̃ quidã dicunt, parenti se aut fratri nihil detracturos commodi sui causa. Sed aliam rationem esse ciuium reliquorũ. His sibi nihil iuris & nullã societatem communis vtilitatis causa statuunt esse cũ

that alike may be ỹ profite of euery sere mã, & of al vniuersally. which profit if ech mã pluck vnto himselfe, all mans felowship shalbe dissolued. And if nature doth also appoint this: that man would haue manne prouyded for, whatsoeuer he bee: yet euen for thys same respect, because he is a man: it must needes folow, that according to the same nature the profit of all be in common. Which if it be so: we al be contened in one, and the like lawe of nature. And if the same be so: doutlesse, by the lawe of nature, we are forbidden one to wrong an other.

Nowe, the antecedent is true: therefore true also is the consequent. For that verelie is reasonlesse, that some say: from their parent, or brother, they will take nothing away, for cause of their owne profit: but of other citiezens, that there is an other respect to be had. These bee in opinion, that they haue no law, nor felowshippe to keepe wyth

citie-

citiezēs,for a comon profits sake:which oppinion dothe ryppe a sonder al the society of a citie.

And they, that saye,ther must regarde be hadde of citiezens, and none of forainers:doo ryue asonder the common felowshyp of mākinde:which being destroyed:all bountiefulnesse, liberalitie,goodnesse, and iustice, is vtterly rooted vp: which whoso take awaie, euen toward the goddes immortall ar to be counted irreligious. For such do ouerthrow the felowshyp by them among men ordeined. Of the which felowshyp the surest bonde is: to thynk it to be more against nature, for one manne to vse extortion to an other, for his owne profits sake: than to sufferr all discommodities, either outwarde, or of the bodie, yea or of the minde: which happen without iust deserung.

For this vertue, Justice, of all vertues is the ladie, and Quene.

ciuibus: quæ sententia omnē societatem distrahit ciuitatis. Qui autem ciuiū rationem dicunt esse habendam, externorū negant hi dirimunt communē humani generis societatem: qua sublata, beneficentia, liberalitas, bonitas iustitia fūditus tollitur. Quæ qui tollunt, etiam aduersus deos immortales impij iudicādi sunt, ab his enim constitutā inter homines societatem euertunt: cuius societatis arctissimum vinculum est, magis arbitrari esse contra naturā hominē homini detrahere sui commodi causa, quàm omnia incōmoda subire vel externa, vel corporis, vel etiam ipsius animi, quæ vacent iustitia.

Hec enim vna virtus omnium est domina & regina virtutum.

Forsitan quispiam dixerit, nonne igitur sapiens, si fame ipse conficiatur, abstulerit cibū alteri homini ad nullā rem vtilis? minimè vero. Nō enim mihi est vita mea vtilior, q̄ animi talis affectio, neminē vt violem commode mei gratia. Quid si Phalarim crudelem tyrannum & immanem vir bonus, ne ipse frigore cōficiatur, vestitu spoliare possit, nōne faciat? Hæc ad iudicandū sunt facillima. Nā siquid ab homine ad nullam partem vtilitatis tuæ causa detraxeris: inhumane feceris, contraq̄, naturæ legē. Sin autē is tu sis, qui multā vtilitatē Reip. atq̄, hominū societati, si in vita remaneas afferre possis: siquid ob eam causam alteri detraxeris, nō sit reprehēdendū. Sin autē id non sit eiusmodi, suū cuiq̄, incōmodum ferendum est potiꝰ,

Peraduenture, some will say: Shall not then the wiseman, if he bee driuen by famine, take awaye meate from an other manne good for nothing: no doutlesse. For my life is no more profitable to me: than such a disposition of minde, that I wrong no body for my profits sake.

What if a good man could spoile the cruel, and beastly tirant Phalaris of his clothing: ỳ he sheulde not dye for colde himself: might he not do it? These be full easy to iudge.

For if you take ought, frō a man on no behalfe profytable, for lone of your own commoditie: ye shall do vnkindly, and against the law of nature: but if you be the man, who may bring much profit vnto the comō weale. & the felowship of mē, if you remain aliue: in case ye take away ought from an other, vpon that consideration: it is not to be reproued: but if ỳ matter stādeth not euē so: euery mannemust rather beare his own discōmodity, than

than put away of an others commodities. Sickneſſe thē, or pouertie, or any ſuch like is not more againſt nature: than extortion, & greedineſſe of an other mannes goodes. But to leaue alone the comon profit, is againſt nature: for it is vnuſt. Therfore the very lawe of nature, which preſerueth, and mainteineth mens profit: appointeth without dout: that from the ydle, & vnprofitable man, neceſſarie thynges to liue wyth be conueied to the wyſe, the good, and the manly man: who, if he ſhoulde dye for want, ſhould drawe awaye with hym much of the common profit: & yet ſo he muſt do it: that neither by ouerweening in himſelf, nor loning of himſelf to well, hee make this a pretēced colour to do wrong. Therfore alwaies let him do his duty, prouiding for ỹ profitte of mē, & that felowſhip amōg men, which I oftentimes repeat. For as touching Phalaris caſe, ỹ iugement is very eaſie.

For

quam de alterius commodis detrahendū. Nō igitur magis eſt contra naturā morbus aut egeſtas, aut quid eiuſmodi, q̄ detractio atq; appetitio alieni. Sed communis vtilitatis derelictio contra naturā eſt: eſt enim iniuſta. Itaq; lex ipſa naturæ q; vtilitatē hominū conſeruat, & cōtinet, decernit profectō, vt ab homine inerti atq; inutili ad ſapientē, bonū, fortemq; virum transferantur res ad viuendum neceſſariæ, qui ſi occiderit, multum de cōmuni vtilitate detraxerit: modò hoc ita faciat, vt ne ipſe de ſe bene exiſtimans, ſeſeque diligens, hanc cauſā habeat ad iniuriam. Itaq; ſæpe officio fungatur, vtilitati cōſulēs hominū, & ei, q̄ ſæpe commemoro, humanæ ſocietati. Nam q; ad Phalarim attinet, perfacile iudiciū eſt.

Nulla.n.nobis cum tirannis ſocietas eſt, ſed potius ſũma diſtractio, neq; eſt contra naturã, ſpoliare eum ſi poſſis, quẽ honeſtũ eſt necare. Atq; hoc omne genus peſtiferum atq; impium ex hominum cõmunitate exterminandũ eſt. Etenim vt membra quædam amputantur, ſi & ipſa ſanguine et tanq; ſpiritu carere cœperũt, et nocent reliquis partib⁹ corporis: ſic iſta in figura hominis ferꝛitas et immanitas beluæ à cõmunitãq; humanitate corporis ſegreganda eſt. Huius generis q̃ſtiones ſunt omnes eæ, in quib⁹ extẽpore officiũ exquiritur. Eiuſmodi igitur credores Panætiũ perſecuturũ fuiſſe, niſi aliquis caſus aut occupatio conſiliũ ei⁹ peremiſſet. Ad quas ipſas cõſultationes ex ſuperioribus libris ſatis multa p̃cepta ſũt,

For with tyrantes we haue no ſocietie, but rather be at extreme diſſenſiõ with thẽ, neyther is it againſt nature to ſpoyle him, if ye can, whõ it is honeſt to kill: and all ſuch peſtilent, and wicked rabies are to be dꝛiuen out of the companies of men.

For euẽ as certein lymmes be cut of if they once begin both to lack blood, and lyfe (as ye would ſay) and alſo do hurt the other partes of the bodie: ſo thys ſauagenelle: and crueineſſe of a beaſt, vnder the ſhape of a man, muſt be parted (as it were) from the common naturalneſſe, of mannes bodye.

Of this ſoꝛt bee all thoſe queſtions, wherin dutie is ſought out by circumſtance of time.

Such matters therefoꝛe I beleue, Panetius woulde haue treated: had not ſome chaunce oꝛ buſineſſe preuented hys purpoſe. Concerning which maner of taking aduiſement, in my bookes afoꝛe, many things be ſufficiently taught: by which,

which, it may be perceyued, what is to be auoyded, for dishonestie, and what is not to be shonned, because it is nothing dishonest.

But for asmuch as of our worke begonne, yet almoste ended, now (as who sayth) we set on the roofe: as the Geometers ar wont not to proue all: but to require, ỹ certein things be graunted thẽ: to the intent, they may more easely sette out theyr purpose: so doo I require of you, my Cicero, that ye graunt mee, if ye may, that nothing but that, which is honest, is for it selfe to bee desired.

But if it may not be granted, because of Cratippus: yet thys no doute you wyl graunte me, that the thyng which is honest, is chiefly for it selfe to be desired.

Whether ye wil, is ynough for mee, and bothe the one, and the other seemes the more proueable: neyther anye thing els apperetn proueable.

And fyrste, in thys pointe, Panetius is to be defẽded, because

quibus perspici possit quid sit propter turpitudinẽ fugiendum quid sit id, ꝙ idcirco fugiendũ nõ sit quia omnino turpe nõ sit. Sed quoniã operi inchoato propè tamẽ absoluto tanq̃ fastigium imponim⁹ vt geometræ solent non omnia docere, sed postulare vt quædam sibi concedantur, quò facilius quæ velint explicent: sic egò à te postulo mi Cicero, vt mihi concedas, si potes, nihil præter id, quod honestum sit, esse propter se expetendum.

Sin hoc non licet propter Cratippum: at illud certè dabis, quod honestum sit, id esse maxime propter se expetendum. Mihi vtrum vis satis est: & tum hoc, tum illud probabilius videtur: nec preterea quicquam probabile. Ac primum Panætius in hoc defendendus est,

quòd non vtilia cum honestis pugnare aliquando posse dixerit (neque enim ei fas erat) sed eaque viderentur vtilia. Nihil vero vtile, q̃ non idem honestum: nihil honestum quod non idē vtile sit sæpe testatur: negatq́, vllam pestem maiorem in vitam hominum inuasisse, q̃ eorum opinionē, qui ista distraxerint.

Itaq́, non vt aliquādo anteponeremus vtilia honestis: sed vt ea sine errore dijudicaremus, si quando incidissent, induxit eam, quæ videretur esse, non quæ esset, repugnantiam.

Hanc igitur partem relictam explebimus, nullius ad miniculis, sed (vt dicitur) Marte nostro. Neque enim quicquam de hac parte post Panætium explicatum est,

because he sayd not, ẏ profitable thinges at any time striue with honest (for it was not lawful for hym so to saye) but those which seme ꝓfitable, might striue wyth honesty. But he oftē witnesseth, that nothing is profitable: which same is not honest: nor honest which same is not profitable: and he denieth any greater pestilence to haue crepte into mans life: than their opinion, who haue deuided these two a sonder.

Therefore he brought in ẏ repugnāce: which did seme to be, & was not in deede: not that, at any time, wee should preferre profitable thinges before honest: but that wythout errour, wee might discerne them, if euer they fell in place.

This parte therefore lefte vntouched, we wil supply: with no others ayde, but (as they say in warre) euē with our own force. For touching this percell, ther hath been, syns Panetius wrote, nothyng set oute,

that

that liked me: of all, that ther came to our handes.

Therefore, when anye showe of profitte is offered vs, we must needes be stirred: but if, when ye gyue good heede, ye se dishonestie ioyned with that thing, which bringeth a showe of profit, then the profitte is not to be desired, but wee must thinke, where dishonestye is there profitte can not be.

Now, if nothing ther be so much againste nature, as dishonestie (for nature doth desire good, and cõuenient, and stedfast things, & despiseth the contrary) & agayne ther is nothing so according to nature, as profit, doutles in the same profitable thing dishonesty cã not be. And also, if we be borne to honestie: and it is either onely to be desired, as to Zeno it seemed: or in all estimation, is to be counted of more value, thã all other thynges: as pleaseth Aristottle: it must needes bee, that the thyng, whych is honest, is either the onely, or the

quod mihi quidẽ probaretur, de iis, quæ in manꝰ meas venerũt. Cum igitur aliqua species vtilitatis obiecta est: nos cõmoueri necesse est. Sed si cũ animũ attenderis, turpitudinẽ videas adiũctã ei rei, q, speciẽ vtilitatis attulerit: tũc nõ vtilitas requirẽda est: sed intelligẽdum, vbi turpitudo sit, ibi vtilitatẽ esse nõ posse. Quòd si nihil est tã cõtra naturã q turpitudo (recta. n. et cõueniẽtia et cõstantia natura desyderat, aspernaturq; cõtraria) nihil q, tam secũdũ naturã, q vtilitas certè in eadem re vtilitas turpitudò esse, non potest. Itemq, si ad honestatem natiꝰ sumꝰ, eaq, aut sola expetenda est, vt Zenoni est visum: aut certè omni pondere grauior habenda, q reliqua omnia, quod Aristoteli placet: necesse est quod honestum sit, id esse aut solum,

aut ſummum bonum: quod autem bonum, id certè vtile. Itaque quicquid honeſtum, id vtile. Quare error hominum non proborum, cum aliquid, quod vtile viſum eſt arripuit: id continuo ſecernit ab honeſto.

Hinc ſicæ, hinc venena, hinc falſa teſtamenta naſcuntur: hinc furta, peculatus, expilationes, direptiones ſque ſociorum & ciuium: hinc opum nimiarum potentiæ non ferendæ: poſtremò etiam in liberis ciuitatibus exiſtunt regnandi cupiditates: quibus nihil nec tetrius, nec fœdius excogitari poteſt. Emolumenta enim rerum, fallacibus iudicijs vident: pœnam, non dicolegum, quas ſæpe perrumpunt, ſed ipſius turpitudinis, quæ acerbiſſima eſt non vident.

or the ſouerain good, and what ſo is good, the ſame doutleſſe is profitable. And ſo all, that is honeſt, is profitable.

wherfore when the errour of meane not honeſt hath caught holde of ſomewhat that ſemeth profitable: by and by it deuides the ſame from honeſtie.

Hereof murders, hereof poyſonynges, hereof counterfette willes doo ſpring: herof felony, herof robbing the treaſurie, pillage, and extortions from leagfrēds, and citiezēs, herof groweth the power of too exceeding richeſſe, not to be ſuffred, & finally in free cities there bee the deſires of ruling, whereas nothing eyther more cruell, than they, or more deteſtable can be imagyned.

For with deceyuable eyes they ſee the gayne of thigs but the ponniſhmēt, I will not ſay, of the lawes which they often breake through: but of diſhoneſty it ſelfe, whych is worſt of all, they ſee not.

Wher-

Wherfore let such takers of aduisement be driuen from among vs (for they are altogither wicked, and vngodlie) who vse aduisement whether they may folow ỹ, which seemes to be honest: or wittingly stayne themselues with dishonestie.

For in the very douting a gret fault ther is, although they neuer come to the doing of it.

Therfore those thinges ar not to be aduised on at all, in which the very taking of aduisement is dishoneit.

And also in all deliberatiõ, the hope, and opinion of cõcealing, and hiding of matters is to be put away.

For fullie (in case we haue anywhit profited in philosophie) we ought to be persuaded: though wee coulde hide it from al goddes, and mẽ, ỹ nothing yet couetously, nothing vniustly, nothig wantonly, nothing vnstaidly is meete to be done.

Herupon that Gyges is brought in by Plato, who, when the earth had opened in certein great stormes, went

Quamobrẽ hoc quidẽ deliberantium genꝰ pellatur è medio (est enim totum scelerati et impiũ) qui deliberãt vtrũ id sequantur, an honestũ esse videant, an se scientes scelere cõtaminent. In ipsa enim dubitatione facinus inest etiãsi ad id non peruenerint. Ergo ea deliberãda omnino non sũt, in quibus est turpis ipsa deliberatio. Atq; etiã ex omni deliberatione cælandi, et occultandi spes opinioq; remouenda est. Satis enim nobis (si modo in philosophia aliquid profecimus) persuasũ esse debet, si omnes deos hominesq; celare possimꝰ nihil tamẽ auarè nihil iniustè, nihil libidinosè, nihil incontinẽter esse faciendũ. Hinc ille Gyges inducitur à Platone, qui cum terra discessisset magnis quibusdam imbribus,

in illum hiatum descendit, æneumq́, equum (vt ferunt fabulæ) animaduertit, cui in lateribus fores essẽt: quibus apertis, hominis mortui vidit corpus magnitudine insuitata, anulumq́, aurẽ in digito: quẽ vt detraxit, atq́ ipse induit (erat autẽ regi pastor) tum in cõcilium pastorum se recepit: vbi cum palam eius anuli ad palmam conuerterat, à nullo videbatur, ipsa autem omnia videbat: idem rursus videbatur, cum in locum anulum inuerterat. Itaq́ hac opportunitate anuli vsus, reginæ stuprum intulit: caq́ adiutrice regem dominum interemit, sustulitq́ quos obstare arbitrabatur. nec in his quisquam eum facinoribus videre potuit sic repente anuli beneficio Rex exortus est Lidyæ.

went downe into ỹ gapyng hole: and spyed a brazen horse, (as the fables tell) in whose sydes were doores: which being opened, he saw the corse of a dead manne, of an vnwonted hugenesse: and a golde ring vpon hys finger: which as sone as he pulled of, he put it on hys owne finger. Thys Gyges was the kinges sheppard. Then he got hymself again to ỹ cõpanie of sheppards. There when he had turned the hed of that ring toward the palme of hys hande: he was seen of nobodie, yet he sawe euery thing: & he was seen agayne, when he had turned the ryng in syght. And so vsing thys vantage of the ryng, he lay with the queene: & by her ayde, he slewe the kyng hys maister: and made dispatch of them, whom he thought to stand in hys way. Neyther could any man se hym being about these mischeuous dedes. So by the commoditye of hys ring, he became sodenly king of Lydia.

Thys

This same ring then if a parfit wise mā shold haue: he would thinke it nomore lawfull for him to offende, thā if he had it not. For honest things, not secret things by good men be sought. And in thys place certein philosophers, and those not of the worst, but yet not all of the finest say: that Plato tolde a fayned, and deuised fable: as though he defendeth, that eyther the thyng was done, or was possible to be done.

Thys is the effecte of thys ring, and of this example: if nomā shold know or nomā shold once suspect: when you should doo any thyng, for regard of riches, power, rule, or lust: yea if it should bee vnknowne for euer both of god, and man: whether you woulde do it, or no. They deme it possyble to befall: and although it can not so befal in deede: yet I demaūde, in case that might befal, which they deny to be possible, what wold they doo? They force on, grossely in good sothe.

Hunc igitur ipsum anulum si habeat sapiēs, nihil plus sibi liceret putet peccare, q̄ si nō haberet. Honestam. bonis viris non occultat quæruntur. Atq; hoc loco philosophi quidā, minime mali illi quidē, sed non satis acuti, fictam & commentitiam fabulam dicunt prolatum à Platone, quasi vero ille aut factum id esse, aut fieri potuisse defendat. Hæc est vis huius anuli et huius exempli: si nemo sciturus, nemoue suspicaturus quidem sit, cū aliquid diuitiarum, potentiæ, dominationis, libidinis causa faceris: si id dijs, hominibusq; futurum sit semper ignotum, sis ne factur⁹? Negant id fieri posse quanquam potest id quidem. Sed quæro: quod negāt posse id si posset, quid nam facerent? Vrgent sanè rusticè:

negant enim posse, & in eo perstant. Hoc verbum, si quid valeat, non vident.

Cum enim quærimus, si possint cælare, quid facturi sint non: quærimus, possint ne cælare: sed tanquam tormenta quædam adhibemus: vi si responderint se impunitate proposita facturos quod expediat, facinorosos se esse fateantur: si negent, omnia turpia per se ipsa fugienda esse concedant.

Sed iam ad propositum reuertamur. Incidunt sæpe multæ causæ, quæ conturbant animos vtilitatis specie, non cum hoc deliberetur relinquenda ne sit honestas propter vtilitatis magnitudinem (nam id quidem improbum est) sed illud, possit ne id, quod vtile videatur, fieri non turpiter.

For they holde, it is vnpossible, and therein they stay still.

What thys word, if, importeth, they se not. For when we demaunde, if they be able to conceale, what they wyll doo? wee doo not demaunde whether they be able to conceale it, or no: but wee lay before them as it were the racke, and certein manikles, that if they aunswer, they would do, what them liked, being sure to skape scotfree, they cõfesse themselues to be wycked: if they say, they woulde not, they graunt, all dishonest thinges for themselues, meete to be eschewed. But now let vs returne to our purpose.

Ther doo ofentimes befall diuers matters, which trouble mens mindes, vnder a showe of profit: not when thys is aduised vpõ whether honestie is to bee lefte for the greatnesse of profit (for ẏ plainly is wicked) but whether the thing which semeth ꝓfitable, may be done wout dishonestye.

When

When Brutus toke awaye the rule from Collatinus Tarquinius, his officefelowe: he myght haue been thought to doo it vniuſtly: for, in driuing out ỹ kings, he had ben Brut⁹ aſſiſtãt. and ayder alſo of hys coũſels.

But when the rulers had agreed thus in counſel: that the kynred of Superbus, & the name of the Tarquinians, and the memorie of the kingdome ſhold be vtterly driuen out: becauſe it was profitable to prouide for their coũtrey: the ſame was in ſuch wiſe honeſt, that euẽ very Collatinus ought to haue liked it. And ſo profit preuayled, becauſe of honeſtye: without which, profitte coulde not haue been at all.

But wyth the kyng, who buylded thys citie, it fared not ſo. For a ſhowe of profit ſtrake in hys minde: to whõ when it appered more profitable, for hym to rule alone, than with an other: he ſlew hys brother. Thys man forgot both godlineſſe,

Cum Collatino Tarquinio College Brutus imperium abrogabat: poterat videri facere id iniuſte, fuerat enĩ in regibus expellendis ſocius Bruti conſiliorum, & adiutor.

Cum autem conſilium hoc principes cepiſſent: cognationem ſuperbi, nomenq; Tarquiniorum, & memoriam regni eſſe tollendam: quod erat vtile patriæ conſulere, id erat ita honeſtum, vt etiam ipſi Collatino placere deberet. Itaq́ue vtilitas valuit propter honeſtatem, ſine qua nec vtilitas quidem eſſe potuiſſet.

At in eo rege qui vrbem condidit, non ita. Species.n. vtilitatis animum impulit eius cui cũ viſum eſſet vtilius ſolum, q̃ cum altero regnare, fratrem interemit.

Omiſit hic & pietatem

& humanitatem, vt id, quod vtile videbatur, neque erat, assequi posset: & tamen muri causam opposuit speciem honestatis, nec probabilem, nec satis idoneam. Peccauit igitur, pace vel Quirini vel Romuli dixerim.

Nec tamen nostræ nobis vtilitates omittendæ sunt alijs, quæ tradendæ, cum his ipsi egeam⁹: sed suæ cuique vtilitati, quod sine alterius iniuria fiat, seruiendum est.

Scitè Chrysippus, vt multa, Qui stadium (inquit) currit, eniti & contendere debet quam maximè possit, vt vincat: supplantare eum, qui cum certet, aut manu depellere nullo modo debet.

and naturalnesse: that he might obteine the thynge, that semed profitable, and was not so in deede: and yet hys brothers leaping ouer the wall he alledged, for a colour of honestie, neither alowable, nor sufficient ynough.

He offended therfore, that by Quirinus, or Romulus fauour I may say it.

Notwithstanding we ought not to leaue our own commodities, and gyue them to other, when our selues doo neede the same, but euerye man must serue hys owne profit so farre, as withoute an others iniurie it may be doone.

Feately said Chrisippus in thys, as he dyd in many thynges mo: Whoso, quoth he, runneth in ♆ race: ought to endeuour, and labour, as much as he may, that hymselfe may wynne the game: but in no wise he ought to trippe hym, with whom he runnes, or to kepe hym of wyth hys hand.

So

So in this life it is not vnlawefull for euery man to get himself, that may serue hys vse: but to pul from an other, it is no right.

But most of al, duties be put out of order in frendeships: in the which, it is agaynst dutie: both not to do, that rightfully you maye, and to do, that is not lawfull. But of all thys matter a shorte, and no harde rule ther is.

For these, which seeme profitable, honours, riches, pleasures, and other of the same kinde, ar neuer to bee preferred afore frendeship. And a good man, for hys frendes sake, nother wyl do againste the commonweale nother against hys othe, & promes: no not thoughe he shal be iuge vpon his owne frende. For he puttes of ỳ personage of a frende, whē he takes vpon him the person of a iuge. Thus much he shall leane to frendship: ỳ he had rather, hys frends cause wer true: and that he wyll graunt hym time thoroughly to pleade hys cause,

Sic in vita sibi quenque petere, quod pertineat ad vsum, non iniquum est: alteri diripere, ius non est.

Maximè autē perturbantur officia in amicis, quibus & non tribuere q̄ rectè possis, & tribuere quod non sit æquum, contra officium est.

Sed huius generis totius breue et nō difficile præceptum est. Q uæ enim videntur vtilia, honores, diuitiæ, voluptates, cæteraque generis eiusdem, hæc amicitiæ nunquam anteponenda sunt. A c neq̄, contra R emp. neq̄, contra iusiurandum, ac fidem amisi sui causa vir bonus faciet: nec si iudex quidem erit de ipso amico. Ponit enim personam amici, cum induit iudicis, tantum dabit amicitiæ, vt veram amici causam esse malit: & vt perorandæ liti tempus,

quoad per leges liceat, accõ modet. Cum vero iurato dicenda sententia sit, meminerit Deum se adhibere testẽ, ideſt (vt ego arbitror) mentem suam, qua nihil homini dedit Deus ipse diuinius. Itaq; præclarum à maioribꝰ accepimus morem rogandi iudicis (si cum teneremus) quæ salua fide facere posſit. Hæc rogatio ad ea pertinet, quæ paulo ante dixi, honeſtè amico à iudice posſe cõcedi. Nam si omnia facienda sint q; amici velint, non amicitiæ tales, sed coniurationes putandæ sunt. Loquor autem de communibus amicitijs. Nam in ſapientibus viris atq; perfectis nihil potest esſe tale. Damonẽ et Pythiã Pythagoreos ferunt hoc animo inter se fuisſe, vt cum eorum alteri Dionyſius tirannus diem necis deſtinauisſet,

as much as by the lawes he may. But when by his othe he is to gyue sentence, he muſt remember, hee taketh God to witneſſe, that is to meane (as I ſuppoſe) hys cõſcience: for nothing more godlike than it is, hath god himſelf gyuen to man.

Therfore of our auncetors we haue receiued a goodly maner of deſiring ỹ fauour of a iuge if we would kepe it. To do what he may ſauing his othe. This requeſt is referred to thoſe things: which, a litle before is ſaid, myght honeſtly be graunted by a iuge to hys frend. For if al things ſhould bee done whych frendes would deſire, ſuch were to be cõſited not amyties, but cõſpiracies.

I ſpeake now of common frendſhippes. For in men wyſe, and perfite, there can be no ſuch thing. Then ſay, that Damõ, and Pythias, the Pythagoreans, wer ſo affectioned, one toward an other: that when Dionyſi⁹, the tirant, had appointed one of them his dieng day

and

and he, who was condemned to dye: had required certein daies of respite, for the disposing of his things: the other became bound body for body, for his for the comming, vppon condition that if he retourned not at hys day, he would him selfe dye for him. Who, when at hys day he was cõe again: the tiraunt wondering at their faithfulnes, required, that they woulde take hym in for the thirde in their frendshyp. when therefore that which in frendshippe seemeth profitable, is compared with that, whych is honest: let the show of profit yelde, and honestye preuayle.

But when in frendshippe those thyngs shal be required, which be not honest: let religion, & vprightnes bee preferred before frendshyp: so shal that choice of duty be had, which wee seeke after. Ut vnder the show of profit, in the commonweale ther is oftentimes doing amisse: as our mẽ did in the rising of Corinth.

& is, qui morti addictus esset, paucos sibi dies commendandorum suorum causa postulauisset: vas factus est alter eius sistendi: vt si ille non reuertisset ad diem: moriendum esset ipsi. Quo cum ad diem se recepisset, admiratus eorum fidem tyrannus petiuit vt se in amicitiam tertium asscriberent.

Cum igitur id quod vtile videtur in amicitia, cum eo quod honestum est, comparatur, iaceat vtilitatis species, valeat honestas.

Cum autẽ in amicitia, quæ honesta non sunt postulabũtur: religio & fides anteponantur amicitiæ. Sic habebitur is, quem exquirimus, delectus officij. Sed vtilitatis specie in republi. sæpissimè peccatur: vt in Corinthi disturbatione nostra:

durius etiam Athenien-ses, qui scierũt, vt Aeginetis, qui classe valebant, pollicis præciderentur. Hoc visum est vtile: nimis. n. immi-nebat propter propinquitatẽ Aegina Piræo. Sed nihil, q̃ crudele, vtile. Est. n. hominũ naturæ, q̃ sequi debemus, maximè inimica crudelitas. Malè etiam, qui peregrinos vrbibus vti prohibent, eosq̃ exterminant: vt Penã apud patres nostros, Papius nuper. Nam esse pro ciue qui ciuis non sit rectum est non licere: quam tulerunt legem sapientissimi consules Crassus et Scæuola: vsu vero vrbis prohibere peregrinos ſ: sanè inhumanum est.

Illa præclara in quib⁹ publicæ vtilitatis species præ honestate contemnitur. Plena exemplorum est nostra Rspubli. cum sæpe alias,

Sozer also delt the Athenians: who made a decree that the Eginetes thombs, who wer skilled in nauigation, should be cut of.

This was thought profytable: for Egina did to much ouerlooke Pireum, by reason of the nere bordering. But nothing, that is cruel, is profitable. For to mannes nature, which wee ought to folow, crueltie is most enemy.

They also do euill, who barre straungers frõ vsing their city, and doo banishe them: as did Petronius, in our fathers dates: and Papius of late peres.

For, one to go for a citizẽ, who is no citizen: it is reason, it should not be lawful, the which law ſ very wise Consuls, Crassus, e Scæuola did make: but to forbidde straungers the vse of the citie, it is doutlesse an vncium part. Those doings be notable, wherin show of comon profit is despised, in respect of honesty. Our cõmõweale is ful of exãples, both often at other times,

and

and chiefly in the secõd Punike warre: which, after ꝥ ouerthrow take at Cãnai, had greater corages, than euer in prosperitie, no tokẽ ther was of feare, no mẽtiõ of peas, So great is the force of honestie, that it dymmeth the show of profitte.

When the Athenians no way were able to withstãd the assault of the Persians: and were determined, that leauing the city, and setting their wiues, and children in Troezẽ, they would take their ships, & defend ꝥ libertie of Greece, with their nauie, one Cyrsilus they stoned to death: who perswaded with them, to keepe still the citie, and receiue Xerxes. And he semed to folow profit: but that was none, where honestye agaīstode it.

Themistocles, after ꝥ victorie of that battail, whych was holdẽ with ꝥ Persiãs, said in the opẽ assẽblie, that he had wealful coũsel for ꝥ state, but it was not expedi ent, it shold be opẽly knowẽ: he re-

tũ maximè bello punico secũdo, q̃ Cannẽsi calamitate acceptam maiores animos habuit, q̃ vnquam rebus secũdis. Nulla fuit timoris significatio, nulla mẽtio pacis. Tãta vis est honesti, vt specie vtilitatis obscuret. Athenienses cum Persarũ impetũ nullo modo possent sustinere, statuerẽtq̃, vt vrbe relicta coniugibus & liberis Trozene depositis, naues conscenderent, libertatemq̃ Græciæ classe defẽderent, Cyrsilũ quendã suadentẽ, vt in vrbe manerent, Xerxemq̃ recipe rent, lapidibus obruerunt. Atqui ille sequi vtilitatem videbatur: sed ea nulla erat repugnante honestate. Themistocles post victoriam ei belli, quod cum Persis fuit, dixit in concione se habere consilium Reipub. salutare, sed id scire opus non esse.

Postulauit vt aliquem populus daret, qui cum communicaret. Datus est Aristides. Huic ille, classem Lacedæmoniorũ, quæ subducta esset ad Gytheum, clàm incendi posse, quo facto frãgi Lacedæmoniorum opes necesse esset.

Quod Aristides cum audiuisset, in concionem magna expectatione venit: dixitque perutile esse consilium, quod Themistocles afferret, sed minimè honestum: itaque Athenienses quod honestum non esset, id ne vtile quidem putauerunt: totamque eam rem, quam ne audiuerãt quidem, authore Aristide repudiauerunt. Melius hi quam nos, qui piratas immunes, socios vectigales habemus.

Maneat ergo, quod turpe sit,

he required, that the people should assigne some mã, to whom he should tell it.

Aristides was appointed: He tolde him, the nauye of the Lacedemonians, which was conueyed to Gytheũ, might priuilie be set a fyre: by which act, the Lacedemonians strength should of necessitie be abated.

Which thing whẽ Aristides had heard: he came to ỹ open assemble, with their great expectacion: and sayde, it was verie profitable counsell, whych Themistocles dyd gyue, but nothing honest.

Therfore the Athenians, the thing, that was not honest, did not count profitable at all: and, being aduertised by Aristides, they reiected the holie matter, which they had not once hearde.

Better did they, than wee doo: who haue pirates vnpunyshed, and leagefrendes tributarie.

Let thys therfore stande for a conclusion: that the thing, which is not honest;

is

is neuer profitable: no not euen then, when ye atteine the thing, which you recke to be profitable. For the same to thinke profitable, which is dishonest, a myserable case it is.

But often times (as I sayd before) ther so befall cases, when profit seemeth to striue against honestye, that it is to be considered, whether altogither it doth ye gainstande it, or may be made agree with honesty.

Of that kinde be these questions: as, for example sake, a good manne departing from Alexandria, shall bring to Rhodes a greate quantite of corne, in ye time of scarcitie and famine, and extreme derth of corne among the Rhodians: in case the same manne know, that many marchantes be alreadye sette forthe from Alexandria: and sawe theyr shyppes, freighted with corne, in their course makyng towarde Rhodes: whether hee ought to declare it to the Rhodyans, or

id nunquam esse vtile: nè tum quidem, cum id, quod esse vtile putes, adipiscare. Hoc enim ipsum vtile putare, quod turpe sit calamitosum est.

Sed incidūt (vt supra dixi) sæpe causæ, cum repugnare vtilitas honestati videatur: vt animaduertendum sit, repugnet ne plane, an possit cū honestate coniungi. Eius generis hæ sunt quæstiones. Si, exempli gratia, vir bonus ab Alexandria profectus Rhodum magnum frumenti numerum aduexerit in Rhodiorum inopia, & fame summaq; annonæ caritate: si idem sciat complures mercatores Alexandria soluisse, naueſq; in cursu frumento onustas petentes Rhodum viderit: dicturus nè sit Rhodijs id,

an silentia suum quam plurimo venditurus?

Sapientem & bonum virum fingimus: de eius deliberatione & consultatione quærimus: qui celaturus Rhodios non sit, si id turpe iudicet: sed dubitet an turpe non sit.

In huiusmodi causis aliud Diogene Babilonio videri solet magno & graui Stoico, aliud Antipatro discipulo eius homini acutissimo.

Antipatro omnia pate facienda, vt nequid omnino, quod venditor norit, emptor ignoret. Diogeni venditorem, quatenus iuris ciuili constitutum sit, dicere vitia oportere, cætera sine insidijs agere: & quoniam vendat, velle quàm optimè vendere. Aduexi, exposui,

or with silence shoulde sell hys owne for as much as he might.

We put the case here, of a wise, and good man: touching his deliberation, and taking of aduisement, wee question: who woulde not hyde it from the Rhodians, if he thought it dishonest: but he douteth, whether it be dishonest, or no.

In such maner cases, one thyng Diogenes the Babylonian, a great, & graue Stoik, is wont to think, an other thing, Antipater, hys scholar, a very sharpe wytted man.

Antipater holdeth that all must be opened, that the byer be ignorant of no maner thing, which the seller knoweth. Diogenes saith, ẏ seller ought to tel ẏ faults, as farre as is appointed by the ciuill law, and the rest to do without deceits, and seeing hee selleth, to desyre wyth the beste auauntage to sell.

Hither haue I brought it, I haue set it forthe to sale,

I sell

I sell mine for no more thā other do, perchance also for lesse, seeing I haue greater store: to whom is the wrōg done? Ther groweth a disputation by Antipater, of the contrary syde, what go ye about? Sithens ye are bound to profitte men, & to serue ỹ felowshyp of man, & ye are borne vnder suche a law, that ye shoulde keepe those principles of nature, whych ye ought to obey, & alwayes to folowe, that your profit should be common profit: againe, and as wel, common profit should be yours: wyl you hyde frō men both wat commoditie, and what store also is at hand for them?

Diogenes peraduenture wyll aunswere thus: It is not all one thynge to hyde from menne, and to holde ones peas, neyther doo I now hide it from ye, though I tell ye not, what is the nature of Goddes, what is the ende of good, which thinges wel knowne woulde profitte you more, than

vendo meum non pluris quā cæteri, fortasse etiam minoris, cum maior est copia, cui fit iniuria? Exoritur Antipatri ratio ex altera parte.

Quid agis? tute cum hominibus consulere debeas, & seruire humanæ societati: eaque lege natus sis, & ea habeas principia naturæ, quibus parēre, & quæ semper sequi debeas, vt vtilitas tua communis sit vtilitas, vicissim & æque communis vtilitas tua sit, cælabis homines, quid his adsit commoditatis, & copiæ? Respondebit Diogenes fortasse sic, aliud est cælare, aliud tacere, neque ego nunc te cælo, si tibi non dico, quæ natura deorum sit, quis sit finis bonorum: quæ tibi plus prodessent cognita,

quàm tritici vtilitas. Sed nõ quicquid tibi audire vtile est, id mihi dicere necesse est immo vero, inquit ille, necesse est. Siquidẽ meministi esse inter homines natura cõiunctum societatẽ. Memini inquit ille. Sed num ista societas talis est, vt nihil suũ cuiusq́; sit? Quod si ita est ne vendendum quidem quicquam est, sed donandum.

Vides in hac tota disceptatione non illud dici, quamuis hoc turpe sit, tamen quoniã expedit, faciam: sed ita expedire, vt turpe non sit. Ex altera autẽ parte, ea re, quia turpe sit, non esse faciendũ. Vẽdat ædes vir bonus propter aliqua vitia, quæ ipse norit, cæteri ignorent: pestilentes sint, & habeantur salubres: ignoretur in omnibus cubiculis apparere serpentes: malè materiatæ,

than ẏ cheapnes of wheat. But it is not necessary for me to tell, whatsoeuer is profitable for you to heare. Yes verelye, saith he, it is necessary: if so be, you remember the felowship knit among men by nature.

I remember it, saith the other: but is thys felowship such that ech mã may haue nothing of hys owne? In case it be so nothing doutelesse is to be solde, but to be gyuen.

You se, in all thys controuersie, this is not sayde: though it be vnhonest, yet because it is ꝓfitable, I wil do it, but that in such wise it is profitable, as it is not dishonest, & of the contrary side, ẏ therfore it is not to be done, bicause it is dishonest. Put the case, a good mã sell a house, for certeine discommodities, which he knoweth, and other knowe not: set case it be cõtagious & is takẽ for holsome: be it so, it be vnknowne, that in al the chambers do appere venemous creping beastes & that it is euill timbered,

and

and redy to fall, but thys none knoweth, but ỹ owner, I demaunde, if the seller opē not this to ỹ byers, & selles the house for much more, than he thought, he shold haue done: whether he doth iustlye, or vnhonestlye? He verely doth dishonestly saith Antipater.

For what other thing is it, than not to showe the wanderer hys way, (which at Athenes was forbidden vpon pain of comō curses) if thys be not it: to suffer ỹ byer to rush sodenly, and runne hedlong by errour into a gret deceit? yea it is more, than not to showe a manne the waye. For it is wittingly to leade one out of the waye into a false beliefe.

Diogenes replieth again, did he compell ye to bye, who not once moued ye to it? He sette to sale, that lyked hym not: you bought, that lyked ye.

If they who offer to sell a good farme, & well builded as they set it oute, bee not thought to haue deceyued, al-

ruinosa: sed hæc præter dominum nemo sciat: quæro si hæc emptoribus vēditor nō dixerit, ædesq; vendiderit plus ris multò, q̄ se venditurum putarit: num id iustè aut improbè fecerit? Ille vero improbè, inquit Antipater. Q. uid. n. est aliud erranti viam non monstrare (quod Athenis execrationib⁹ publicis sancitum est) si hoc non est, emptorem pati ruere, & per errorem in maximam fraudem incurrere? plus etiā est quàm viam non mōstrare nam est, scientem in errorem alterum inducere.

Diogenes contra: num te emere cogit, qui ne hortatus quidem est? ille quod non placebat proscripsit tu quod placebat emisti. Q. uod si qui proscribunt villam bonam, beneq́ ædificatam, non existimantur fefellisse.

etiam si illa nec bona est, nec ædificata ratione, multo minus, qui domum non laudarunt. Vbi enim iudicium emptoris est, ibi fraus vēditoris quæ potest esse? Sin autem dictum non omne prestandū est, quod dictum non est id prestandum putas? Quid vero est stultius, quàm venditorem eius rei, quam vendat, vitia narrare? Quid autem tam absurdum, quā si domini iussu ita præco prædicet: domum pestilētem vendo. Sic ergo in quibusdā causis dubijs ex altera parte defenditur honestas: ex altera ita de vtilitate dicitur vt id, quod vtile videatur, non modo facere honestum sit, sed etiam non facere, turpe. Hæc est illa, quæ videtur vtilium fieri cū honestis sæpe dissensio. Quæ dijudicanda sunt.

although it be neither good nor welbuylded, much lesse then they, who haue not praised their house.

For where the byers vse is his chapmā, there what deceit cā ther be of the seller? and if euery sayeng is not to be perfourmed, thynā ye that meete to be perfourmed, that was not sayde? But what is more foolishe, than the seller to tell the faultes of the thing, which he puts to sale? And what so fonde a hearing is ther, as if, at the owners commaundement, the cryer thus should make a nopes? I haue a cōtagious house to sell.

Thus therfore, in some doutefull cases, of the one part is honestye defended, of the other parte, ther is speaking of profit, that it is not onely honest to doo, but also dishonest not to do it, that semeth profitable. This is that dissētiō, which semeth often to befall betwene profitable thynges, and honest, which pointes are to be discussed.

For

For wee haue not set them forthe to make questions, but to open them.

Methinke then, neyther that same Rhodian cornemarchaunt, nor this housesellar ought to haue hidden the forestayde thynges from the byers. For whatsoeuer you kepe in silence, you doe not fully so much, as it is to hide: but when, for your profittes sake, ye woulde haue those ignorant of that you know, whom it standes vppon to know it. Nowe this kind of hiding of what nature it is, and what maner of mannes, who seeth not? Doutlesse it is a part not of a plaine, not of a simple, not of a gentlemanly, not of a iuste, not of a good man: but rather of a suttle witted, close, wylye, deceitfull, gyleful, craftie, forlike, and a very dubler. These so manie, & other mo names of vices to enter into, is it not vnprofitable? If they bee dispraiseworthye, who haue held their peace: what is to bee thought of those, who haue vsed a vanneste

Non enim vt quereremus, exposuimus, sed vt explicaremus. Non igitur videtur nec frumentarius ille Rhodius, nec hic ædium venditor cælare emptores debuisse. Neq; enim id est cælare, cum quid reticeas, sed cum quod tu scias, id ignorare emolumenti tui causa velis eos, quorum interfit id scire. Hoc autem cælandi genus quale sit, & cuius hominis quis non videt? Certè non aperti, non simplicis est, non ingenui, non iusti, non viri boni: versuti potius, obscuri, astuti, fallacis, malitiosi, callidi, veteratoris, vafri. Hæc tot & alia plura, nonne inutile est vitiorum subire nomina? Quòd si vituperandi sunt, qui reticuerunt: quid de iis existimandum est: qui orationis vanitatem adhibue-

runt? C. Cannius æques Romanus, homo nec infacetus, & satis literatus, cum se Syracusas otiandi (vt ipsi dicere solebat) non negotiandi causa contulisset, dictabat se hortulos aliquos velle emere, quò inuitare amicos, & vbi se oblectare sine interpellatoribus posset. Quod cum percrebuisset, Pythius ei quidam, qui argentariam faceret Syracusis dixit venales quidem se hortos non habere, sed licere vti Cannio, si vellet vt suis, & simul ad cœnam hominem in hortos inuitauit in posterum diem. Cum ille promisisset, tum Pythius, qui esset, aut argentarius, apud omnes ordines gratiosus, piscatores ad se conuocauit: & ab ijs petiuit, vt antè suos hortulos postera die piscarentur: dixitq; quod eos facere vellet.

ok talke?

Caius Cantus, of the Equestriall order in Rome, a man not vnpleasaunt, and welynough learned, when he hadde gotte hym to Syracusai, euen for pleasure, and not for byssnesse (as he was wont to tell) he bruted, that he would bye some place of pleasure: whither he mpght byd his frendes: & where he might delight him self without troublers. Whiche when it was spred abrode: one Pythius, who kept a banke of exchaunge at Syracusai, said: that he hadde in deede a pleasaunt plat, howbeit not to sel: yet Cantus, if it pleased hym, might vse it as his owne: & therewith bad hym to supper, against the nexte day. When he hadde prompsed: then Pythius spke a banker, who was well in fauour with all degrees, called vnto hym certein fishermen: and required them, that the nexte daye they woulde fyshe beefore his grounde: & tolde thē what he woulde haue them doo.

Cantus

Canius came at his time to supper. Sumptuously the there was prepared. A nōber of fisshe botes wer before their eyes. Eche man for his parte, brought, that he had taken. The fish was powred downe at Pythius feete. Then quoth Canius, I pray ye Pythius, what is this: that ther is so great store of fishe, so goodlye a sorte of botes? What marual? quoth he againe: for what so euer fishe ther is about Syracusai, it is in this place: here is the watering place: this grounde these citizens can not well spare. Canius kindled with a desire to it, was earnest with Pythius, that he would sel it him. He made it strāge at the first. What nede many wordes? He obteyneth it: the man beyng in loue with it, and riche, bought it for so muche, as Pythius would de aske: and bought it furnished: he putteth in surettes: and makes vp the bargaine. Canius the nexte daye, desired his acquaintaunce thyther, and came hym selfe betymes:

Ad cœnam tempore venit Cannius, erat opiparè à Pythio apparatum conuiuium. Cymbarum ante hortulos multitudo pro se quisq; quod ceperat, afferebat: ante pedes Pythij pisces abijciebantur. Tum Cannius: quæso, inquit, quid est ò Pythi, tātum ne piscium? tantum ne cymbarum? Et ille. Quid mirum, inquit, hoc loco est, Syracusis quicquid est piscium: hic aquatio, hac villa isti carere non possunt. Incensus Cannius cupiditate, contendit à Pythio, vt vēderet: grauatè ille primò. Quid multa? Impetrat: emit homo cupidus & locuples tanti, quanti Pythius voluit: & emit instructos: nomina facit: negotiū conficit: Inuitat Cāni⁹ postridie familiares suos: venit ipse maturè

ſcalmum nullũ videt, quæ rit ex proximo vicino, num feriæ quædã piſcatorũ eſſent, quòd eos nullos videret. Nullæ (quod ſciã) inquit ille, ſed hic piſcari nulli ſolent: itaq; heri mirabar, quid accidiſſet. Stomachari Cannius, ſed quid faceret? nondum enim Aquilius collega & familiaris meus pertulerat de dolo malo formulas: in quibus ipſis cum ex eo quæreretur, quid eſſet dolus malus, reſpõdebat, cũ eſſet aliud ſimulatũ, aliud actũ. Hoc quidẽ ſanè luculenter, vt ab homine perito definiendi. Ergo & Pythius: & omnes aliud agentes, aliud ſimulãtes, perfidi, improbi, malitioſi ſunt. Nullum igitur factum eorum poteſt vtile eſſe, cum ſit tot vitijs inquinatũ. Quod ſi Aquiliana definitio vera eſt, ex omni vita ſimulatio,

he ſawe neuer a dote: he enquired of his next neybour, whether it were not ſome holyday with the fiſſhermẽ, bicauſe he ſawe none of thẽ. None, that I know, quoth he: but yere none of them ar wont to fiſhe: and therfore yeſterday I marualled what chaunce was befalne. Canius began to chafe: but what coulde he do? For as yet Aquilius, my officefelowe, and familiar, had not ſette forth the caſes, that ſhoulde be counted coune. In the whiche ſame, when I demaunded of hym, what was *Coune*: he anſwered, when one thing was pretẽded, and an other done. This doutleſſe was verye plainly aunſwered, as of a manne ſkilfull in defining. Therfore bothe Pythius, and all, that do one thyng, and pretende an other, bee falſe, wicked, and gilefull. No deede then of theirs cã bee profitable, when it is with ſo manye faultes beſpotted. If Aquilius definition bee true: out of all mans life muſt falſe pretending, and

ding, & dissembling be banished. So euery good mā shal neither falsely pretend, nor dissemble, that he maye bye, or sell the better. And this counne also was ponished by the lawes: as deceitfull gardenship, in the twelue tables: and craftie begyling pongmen of theyr goodes, by the lawe Plectorian: and without lawe, by iudgementes, where the byll is put in, vppon good conscience. But of al other iudgementes these wordes be moste notable, that be of course in a case of arbitrement of mariage: The better, the iuster: and in a case of trust, or confidēce: That among honest men ther bee honest dealing: What then? either in ỹ, which is the better, the iuster: cā ther be any point of counne: or whē it is laid, Among honest men let ther be honest deling: cā anything deceitfully, or gilfully bee done? But counne (as saith Aquilius) is conteined in fained pretēce, & dissimulation. All lyeng therefore in making of bargaines is vtterly to be excluded. Let

dissimulatioq; tollenda est. Ita nec vt emat melius, nec vt vēdat, quicquā simulabit aut dissimulabit vir bonus. Atq; iste dolus malus etiam legibus erat vindicatus, vt tutela. XII. tabulis et circunscriptio adolescentiū lege Latoria, & sine lege iudicys, in quib⁹ ex fide bona agitur. Reliquorū autē iudiciorum hæc verba maximè excellūt, in arbitrio rei vxoriæ, meli⁹, æquius: in fiducia, vt inter bonos bene agier. Quid ergo? aut in eo quod melius æquius est, potest vlla pars inesse fraudis? aut cum dicitur inter bonos bene agier, quicquā agi dolosè aut malitiosè potest? Dolus autem malus simulatione & dissimulatione (vt ait Aquilius) continetur. Tollendum est igitur in rebus contrahendis omne mendacium

nō licitatorē venditor, nec qui contra se liceatur, emptor opponet, vterq; si ad eloquēdū venerit, nō plus quam semel eloquetur. Quintus quidē Scæuola P. filius, cum postulasset, vt sibi fūdus, cuius emptor erat, semel indicaretur, idq; vēditor ita fecisset, dixissetq; se pluris æstimare, addidit centū millia: Nemo est qui hoc viri boni fuisse neget, sapiētis negant: vt si minoris quā potuisset, vē didisset. Hæc igitur est illa nicies, quod alios bonos, alios sapientes existimant. Ex quo Ennius. NEQ VIC-Q VAM SAPERE SAPIENTEM, Q VI SIBI IPSI PRODESSE NEQ VIRET. Verè id quidē, si quid esse prodesse mihi cū Ennio conueniret. Hecatonem quidē Rhodiū discipulum Panætij video,

not the seller sette a rayser of the prpce against the byer: let not the byer sette one that may lowe the prpce againe for him. If they both come to cōmunication: they shal talk but once of ẏ matter. Whē Quintus Sceuola, Publius sonne, had required, ẏ ẏ prce of ẏ grosid, whereof he was a cheaper, shold once be shewed him: & ẏ seller had so done: he said, he valued it more worth, & gaue him more by. xx. honderd crownes. There is no man, ẏ can denie, but this was the part of a good mā: a wise mans part they deny it to be: euen as if the other sholde haue sold it for lesse, than he might haue gotten. This therefore is the mischiefe: bicause they reckon good to bee of one sort, and wise, of an other. Wherupon quoth Ennius.

The wise man his wit
very vaine he may call,
If profite he can not
him self therwithall.

It were true in deede: if I agreed with Ennius, what it

it is to profit. I se, Hecato, the Rhodiā, Panetiꝰ scholer, saith in those bookes, which of duties he wrote to Quintus Tubero: that it is a wise mans parte, doing nothing against customes, lawes, & ordināces: to haue a respect to his substaunce. For we couet not onely for our selues to be rich: but for our childern, our kinsefolk, our frendes, & specially for ẏ cōmōweale. For the substance, & welth of euery sere man is the richesse of a citie. Sceuolaes doing, whereof I spake a little before, can in no wise like Hecato: for Sceuola vtterly denieth, ẏ he wyll doo ought, for his owne gainesake, that is not lawfull. To this mā nother great praise, neither thanke is to be geuē. But whether both false pretending, & also dissembling be couine, or no: fewe matters ther be, wherin this couine hath not ado: & whether he be a good mā, who profites whō he may, & hurtes no body: full well a iust man, but not lightly a good manne we shall finde.

in ijs libris, quos de officijs scripsit, Quinto Tuberoni dicere, sapiētis esse nihil cōtra mores, leges, instituta facientē, habere rationē rei familiaris. Neq; enim solū nobis diuites esse volumus, sed liberis, propinquis, amicis, maximēq; Reipub. Singulorū enim facultates & copiæ, diuitiæ sunt ciuitatie. Huic Scæuolæ factū (de quo paulo ante dixi) placere nullo modo potest. Etenim omnino se negat facturū cōpendij sui causa, quod non liceat. Huic nec laus magna tribuēda est, nec gratia. Sed siue simulatio & dissimulatio dolus malus est: perpaucæ res sunt, in quibus dolus iste malus nō versetur. Siue vir bonus est is, qui prodest quibus potest, nocet nemini: rectè iustum virū bonum non facilè reperiemus.

Nunquam igitur est vtile peccare, quia semper est turpe: & quia semper est honestum virum bonum esse, semper est vtile. Ac de iure quidem prædiorum sancitum est apud nos iure ciuili, vt in his vendendis vitia etiam dicerentur, quæ nota essent venditori. Nam cum ex XII. tabulis satis esset, ea præstari, quæ essent lingua nuncupata, quæ qui infitiatus esset, dupli pœnam subiret: à iure consultis etiam reticentiæ pœna est constituta. Quicquid enim est in prædio vitij, id statuerunt, si venditor sciret, nisi nominatim dictum esset, præstari oportere. Vt cum in arce augurium Augures acturi essent, iussissentque Titum Claudium Centimalum, qui ædes in Cœlio monte habebat, demoliri

It is neuer profitable then to do euil, bicause it is euermore dishoneſt: and bicause it is alwayes honeſt to be a good manne, it is alwayes profitable.

And surely touchyng the title of lande, it is ordeyned with vs by ciuill lawe: that in selling ofit, the faultes also shoulde be tolde, which were knowne to the seller. For wheras by the twelue tables it was sufficiētly prouided: that those thynges shold be perfourmed, which were declared in woorde: whiche who so woulde denie, shoulde forfette double damages: there was also, by the iudges of the lawe, a paine sette for concealment. For what so euer fault wer in the lād: if the seller knew it, excepte expresselye he had declared it: they decreed, that it ought to bee made good. As when in the towwer the Auguris wer about their prophecyeng by foule-flight: and had comaunded Titus Claudius Centimalus, who hadde houses in mount Celie, to pull those downe,

downe, whose height sholde let their prophecieng: Claudius did set them to sale, & solde the plande: Publius Calphurnius Lanarius bought it. He was cōmaūded the verye same by the Augurs. And so, whē Calphurnius had pulled them downe: and vnderstoode, that Claudius had sette the houses to sale, after he had been commaunded of the Augurs to pul them down: he drawe him to arbitrimēt: For al, that he ought in that case, to recompence hym, of good conscience. Marcus Cato, this our Catoes father, made the awarde. For as other ar named frō theyr fathers: so this, who begat such a starre, is to be named from his sonne. He therfore as iudge, gaue sentēce thus: that seing he knew ỹ thing, at the putting of it to sale, and did not declare it: he ought to render the bier his damages. He therefore iudged, it stode with good conscience: that the fault: which the seller knewe, shoulde be knowne to the byer. That

ea, quorum altitudo officeret auspicijs: Claudius proscripsit insulā: vēdidit: emit Publius Calphurnius Lanarius. Huic ab Auguribus illud idem denunciatum est. Itaq; Calphurnius cū demolitº esset, cognouissetq; Claudiū ædes postea proscripsisse, quas esset ab Auguribus demoliri iussus: arbitrum illū adegit: quid sibi de ea re facere oporteret ex fide bona. M. Cato sententiam dixit, huius nostri Catonis pater. Vt enim cæteri ex patribº, sic hic, qui illud lumen progenuit, ex filio est nominandus. Is igitur iudex ita pronunciauit: cum in venundādorem eam sciisset, & non pronunciasset, emptori damnum præstare oportere. Igitur ad fidem bonam statuit pertinere, notum esse emptori vitium, quod nosset venditor. Quòd

si rectè diiudicauit, non rectè frumentarius ille, non rectè ædium pestilentium venditor tacuit. Sed huiusmodi reticentiæ iure ciuili omnes comprehendi non possunt: quæ autem possunt, diligenter tenentur. M. Marius Gratidianus propinquus noster C. Sergio oratæ vendiderat ædes eas, quas ab eodem ipse paucis ante annis emerat. Hæ Sergio seruiebant, sed hoc in mancipio. Marius non dixerat, adducta res in iudicium est. Oratam Crassus, Gratidianum defendebat Antonius, ius Crassus vrgebat, quod vitium venditor non dixisset, sciens id oportere præstari, æquitatem Antonius: quoniam id vitium ignotum Sergio non fuisset, qui illas ædes vēdidisset, nihil fuisse

and if he gaue a true iugement: neither well dyd the cornemarchaunt afore, neyther wel did this cõtagious house seller in holdyng his peace. But such maner of concealmentes can not all be comprehẽded in the ciuil lawe: but such as may, be perfitely conteined. Marcus Marius Gratidianus, our kinsman, hadde solde to Caius Sergius Orata that house, which he had bought of him a fewe yeres before. This house did a certeine seruice to Sergius: but Marius had not declared ỹ same in ỹ liuerie of seisine. The mater was brought to ỹ law Crassus pleaded for Orata, Antonius for Gratidianꝰ. Crassus stoode vppon the letter of the lawe: bicause the seller, knowing the discommoditie, had not tolde it: that it ought to be made good: Antonius enforced the equitie of the lawe: bycause that discommoditie was not vnknown to Sergius, who had sold the same house, that it was nothing needefull to bee declared:

and

and that he was not deceiued, who vnderstoode, of what title it was, that he hadde bought. To what purpose tendes all this? That ye may perceiue, that couine lyked not our auncetours. But one way the lawes condemne couine, an other way the philosophers: the lawes, as farre as by open deede they can gather vppon matters: the philosophers, as far as by reason, and vnderstandyng they can comprehend. Reason therfore requireth this: that nothing suttelye, nothyng famedly, nothing deceitfully be done. Is it then anye deceite, to pitche the toile, although you go not about to rouse, nor chase the game? For ỹ very game lighte vpon it oftentimes, when no body folowes thē. So when you offer your house to sale: you sette vp your bill, as a nette: you sell the house, bicause of the faultes: some body happes vppon it, vnware of them: though I see, this thoroughe corruption of vse, neither

necesse dici: nec eum esse deceptum qui id quod emerat, quo iure esset, teneret. Q. nor sum hæc? vt illud intelligas, non placuisse maioribus nostris astutos. Sed aliter leges, aliter philosophi, tollunt astutias. Leges quatenus manu tenere res possunt: philosophi quatenus ratione & intelligentia. Ratio igitur hoc postulat, nequid insidiose, nequid simulatè, nequid fallaciter. Sunt ne igitur insidiæ, tendere plagas, etiam si excitaturus non sis bestiam, nec agitaturus? Ipsæ enim feræ nullo insequente sæpe incidunt. Si tu cum ædes proscribas, tabulam tanquã plagam ponas, domum propter vitia vendas, in eam aliquis incurrat imprudēs: hoc quanquam video propter depravationem consuetudinis:

neque more turpe haberi, neque aut lege sanciri, aut iure ciuili: naturæ tamen lege sancitum est. Societas enim est (quod & si sæpe dictum est, dicendum tamen est sæpius) latissimè quidem quæ pateat, hominũ inter omnes: interior eorum qui eiusdem gentis sunt: propior eorum, qui eiusdem ciuitatis. Itaque maiores aliud ius gentium, aliud ius ciuile esse voluerunt. Quod enim ciuile, non idem continuo gentium: quod autem gentium, idem ciuile esse debet. Sed nos veri iuris, germanæque iustitiæ solidam & expressam effigiem nullam tenemus, vmbra & imaginibus vtimur: eas ipsas vtinam sequeremur. Feruntur enim ex optimis naturæ & veritatis exemplis. Nam quanti sunt verba illa

neither by custome is counted dishonest, neither by ordinaunce, or ciuill lawe decreed: yet by the lawe of nature it is forbidden. For ther is a felowshyp of men amongst men (whiche thing although it hath ben oftentimes spoken of, yet oftenner it must be spokē) which in deede very largely extendeth: and a nerer there is of those, who be of one nacion: and a nier, of them, who bee of one citie. Therefore our aunceters woulde needes haue the lawe of nations to be one thing, and the ciuill lawe an other. For what so is the ciuill lawe, the same is not consequently the law of nations: but what so is the law of nations, the same must nedes be the ciuil law. But we keepe no sounde, & expresse fourme of very law and mere iustice: we vse the shadowe and images therof: yea and euen those same I woulde, we did folowe. For they be takē out of the best principles of nature, & paterns of trouth. For how precious be those woordes.

That

That not by you, or your promes, I be snared or deceiued how goldē words be those? That among good mē good dealing ought to bee, and without deceiuing.

But who be good men, and what is good dealyng, it is a great question. Quintus Sceuola, the chiefe byshop sayde, ther was greate substaunce of matter in al those arbitrementes, in whiche there shoulde bee treatyng accordyng to good conscience: and the name of good conscience he iudged to reach very farre: and that it had adoo in gardeinshippes, cōpanies, matters of trust, cōmaundementes, thynges bought, solde, hired, and let out: by whiche, the felowshippe of mannes life is vpholden: in these thinges, he sayde, it was the office of a great iudge to determine, what eche man shoulde do to an other, specially seyng the iudgementes in moste menne be contrary one to an other. Wherefore couine must bee vtterly auoyded: and that wylinesse whiche wil

Vti ne propter te, fidemue tuam, captus fraudatusue sim? quàm illa aurea? Vt inter bonos bene agier oportet et sine fraudatione. Sed qui sint boni, & quid sit bene agier, magna quæstio est. Quintus quidem Scæuola Pont. Max, summam vim esse dicebat in omnibus ijs arbitrijs, in quibus adderetur, ex fide bona. Fideique bonæ nomen existimabat manare latissimè: idque versari in tutelis, societatibus: fiducijs, mandatis, rebus ēptis, venditis, conductis, locatis, quibus vitæ societas continetur. In his magni esse iudicis, statuere (præsertim cum in plerisque essent iudicia contraria) quid queq́, cuiq́, præstare oporteret. Quocirca astutiæ tollēdæ sunt, eaque malitia, quæ vult quidem videri

se esse prudentiam, sed abest ab ea, distatq; plurimũ. Prudentia est enim locata in delectu bonorum, & malorum. Malitia si omnia, quæ turpia sunt, mala sunt, mala bonis anteponit. Nec vero in prædijs solum ius ciuile ductum à natura malitiam, fraudemq; vindicat, sed etiam in mancipiorum venditione vẽditorum fraus omnis excluditur. Qui enim scire debuit de sanitate, de fuga, de furtis, præstat ædicto ædill. Hæredum alia causa est. Ex quo intelligitur, quoniã iuris natura fos sit, hoc secũdũ naturam esse, neminem id agere, vt ex alterius prædetur inscitia. Nec vlla pernities vitæ maior inueniri potest, quàm in malitia simulatio intelligentie. Ex quo illa innumerabilia nascuntur: vt vtilia cum

wyll needes haue it selfe seeme to be prudence: but it is farre frõ it, & differes very much. For prudẽce is placed in the choise of good, & euil: wyshes, if al things be euil, which be dishonest, preferreth euil before good. And not only in matters of land: the ciuil lawe, ỹ hath his original of nature, doth punish wilinesse, & couine: but also in the sale of slaues & nieces, al couine of the sellers is forbiddẽ. For he, ỹ should haue knowne of theyr helthfulnesse, of their fugitiuenes, of their theuishnes, do the make satisfaction by the Edyles decree. Otherwise is the case of inheritours. Whereof is done to vnderstand: bicause nature is the fountain of law, that this is according to nature: ỹ no man go about by an others ignorãce, to make his owne gaine. For any greter destructiõ of mãs life cã be found, thã of a wilnesse, falsely to dissẽble ones vnderstanding. Whereof those innumerable incõueniences do growe, that profitable

thinges

thinges seme to fight with honest. For how many wyl be found: who being sure to be free frō punishment, and knowledge of al mē, can refrain frō doing wrong? Let vs make a proffe (if it please ye) in those exāples, wherin ỹ cōmon sort of mē perhaps do not think they do amisse. For it falleth not in this place to speake of murderers, poysoners, wylfolzers theeues, and robbers of the common treasurie: who not with wordes, & reasonings of philosophers, but with chaines, & prisōmēt ar to be punished. But these things let vs consider: which they do, who bee counted good. Certein mē brought out of Greece to Rome a counterfet wil of Lucius Minutius Basilius, a very riche mā: & to the intēt they myght the easelyer proue it, they dyd put in as heires with them, Marcus Crassus, & Quintus Hortēsius, men of moste power in ỹ same citie. Who whē they suspected it to bee forged, & wer not guilty of any fait in their own cōscience they

honestis pugnare videantur. Quotus enim quisq; reperietur, qui impunitate & ignoratione omnium proposita abstinere possit iniuria? Periclitemur (si placet) et in ijs quidem exemplis, in quibus peccari vulgus hominū fortasse nō putat. Neq; enim de sicarijs, beneficis, testamētarijs, furibus, peculatoribus hoc loco disserēdū est, qui nō verbis sunt & disputatione philosophorū, sed vinculis et carcere fatigādi. Sed hæc cōsideremus quæ faciūt ij, qui habētur boni. L. Minutij Basilij locupletis hominis falsū testamentū quidā è Græcia Romā attulerūt. Quod quò facilius obtinerent, scripserūt hæredes secū M. Crassū et Q. Hortensiū, homines eiusdē ciuitatis potentissimos: qui cum illud falsum esse suspicarentur, sibi autē nullius esset conscij culpæ

alieni facinoris munusculũ non repudiauerunt. Quid ergo? sat in hoc est, vt non deliquisse videantur? Mihi quidẽ non videtur: quanquã alterũ amaui viuũ, alterũ nõ odi mortuum. Sed cum basilius M. Satyrium sororis filium nomen suum ferre voluisset, eumq; fecisset hæredem hunc autem dico patronum agri Piceni & Sabini (O turpẽ notã temporũ illorum) non erat æquum principes ciuis rem habere, ad Satyrium nihil præter nomen peruenire Etenim si is, qui non defendit iniuriã, neq; propulsat à suis cũ potest, iniustè facit, vt in primo libro diximus: qualis habẽd° est is, qui non modò non repellit, sed etiã adiuuat iniuriã? Mihi quidẽ etiã veræ hæreditates non honestæ videntur, si sint malitiosis blanditijs officiorum,

they refused not the pretie rewarde of an others falsehod. What say we then? Is this inough, that they seme not to haue done any faulte To me truely it seemes not so: although the one I loued being aliue, the other I hate not being dead. But when Basilius would haue had Marcus Satirius, his sisters sonne, to beare his name: and hadde made hym his heire: I meane hym who was protectour of the countrie of Picene, & Sabine (O shameful staine, in those dayes) it was not reason, that the rulers of the citie had the goodes, and nothyng but the name descended to Satirius. For if he, that doth not fense of iniurie, and keepe it awaye from his, whẽ he may, doth vniustly: as in my firste boke I haue disputed: what maner a man is he to be counted: who not onely doth not fense of, but also furdereth an iniurie? And true inheritaunce also semes to me not honest if it be purchased by wyly flattering duties:

and

and not by truth, but by false faynyng. But in such cases, one thyng is wont sometime to seeme profitable, an other, honest. Yet vntruly it so seemeth: for alike is the rule of profit, as of honestie. Who foreseeth not this: no guile, no mischief shall faile in him. For thus imagining, this in dede is honest, but this is profitable: he wil take vpon him by errour to sonder thinges coupled togither by nature: which is the welspring of al deceites, wycked deedes, and mischiefes. Therfore if a good mā haue such power that if he do but becke with his finger, his name maye creepe into the testamēt of the rich: let him not vse this power: no not though he know for certentie, that no manne at all wyll once mystrust it. But if ye shoulde giue this power to Marcus Crass⁹: that with a beck of his finger, he might bee put in as heire, being no heire in dede: he wold (beleue me) leape for ioy in ẏ opē strete. But a iust manne, and he,

nō veritate, sed simulatione quæsitæ. Atqui in talibus reb⁹ aliud vtile interdū, aliud honestū videri solet falso Nā eadē vtilitatis, quæ honestatis est regula, qui hoc nō peruiderit: ab hoc nulla fraus aberit, nullū facinus. Sic enim cogitans. Est istud quidē honestū, verū hoc expedit, res à natura copulatas audebit errore diuellere, qui fons est fraudū, maleficiorū, scelerum omniū. Itaq; si vir bonus habeat hanc vim, vt si digitis concrepuerit, possit in locupletū testamēta nomen eius irrepere, hac vi non vtatur: nec si exploratum quidem habeat, id omnino neminē vnquā suspicaturū. At si dares hanc vim M. Crasso. vt digitorū percussione hæres posset scriptus esse, qui re vere non esset hæres: in foro, mihi crede, saltaret. Homo autē iustus, isq;

quem ſentimus virum bonũ, nihil cuiquam, quod in ſe trãſferat, detrahet. Hoc qui admiratur, iſe, qui ſit vir bonus, neſcire fatetur. At veroſiquis voluerit animi ſui complicatam notionem euolucre: iam ſe ipſe doceat, eum virum bonum eſſe, qui proſit quibus poſſit, noceat nemini, niſi laceſſitus iniuria. Q. uid ergo? hic non noceat, qui quodam quaſi veneno perficiat, vt veros hæredes moueat, in eorum locũ ipſe ſuccedat? Non igitur faciat (dixerit quis) quod vtile ſit, quodq; expediat? immo intelligat, nihil nec expedire, nec vtile eſſe, quod ſit iniuſtũ, hoc qui non didicerit, bonus vir eſſe non poterit. Fimbriam conſularem audiebã de patre noſtro puer, iudicẽ M. Luctatio Pythiæ fuiſſe equiti Romano,

whom we count a good mã, will catche nothing from any man, to caſt it vpon hym ſelfe. Who ſo hath wonder at this: he confeſſeth hym ſelfe not to know, who is a good man. But if a manne wil vnfold the ſecret knowledge of his minde: by and by he maye enfourme hym ſelfe: that he is a good man, who doth good to whom he may: and hurteth no body, but prouoked by iniurie. Howe then? doth not he hurt an other, who wrokes (as it wer) with a certeine poyſon: that the true heires he may diſplace, and make him ſelfe ſucceede in theyr roume? May he not then doo that, wyll ſome ſaye, whiche is profitable, and which is auailable? May let him know: that nothyng neither auaileth, nor is profitable, whiche is vniuſte. This who ſo hath not lerned, cã not be a good mã. I herd of my father, when I was a boy: that Fimbria ſometime Conſull, was iudge to Marc⁹ Luctatius Pythias one of the Equeſtrial order of Rome,

of Rome, in deede honeſt: when he had put in ſuretics to aunſwere the accion, if he wer not founde a good mã: that therfore Fimbria ſaide vnto hym, he would neuer giue iudgement of the caſe: leſt he ſhould eyther robbe a tried man of his good name if he had iuged againſt him: or elſ ſhoulde ſeme to haue determined, that ther is ſom good mã: whereas that thing conſiſteth in duties, & commendacions innumerable. To this good manne then, whom alſo Fimbria, & not oneiy Socrates had conceiued: can no way ought appeare to be profitable, that is not honeſt. Therefore ſuche a man wyll not bee ſo bolde to do, no nor purpoſe any thing, whiche he dare not auer. Is it not a ſhame for Philoſophers to dout in theſe thinges, whereof the clownes of the countrey do make no dout at all? From whõ is ſpronge that prouerbe, whiche now is well worne by cõtinuaunce. For when they praiſe anye mãs conſcience, and goodneſſe:

ſane honeſto, cũ is ſpontionẽ feciſſet, ni bonus vir eſſet. Itaq; ei dixiſſe Fimbriam, ſe illã rem nunquã iudicaturum: ne aut ſpoliaret fama probatum hominẽ, ſi contra iudicaſſet: aut ſtatuiſſe videretur virũ bonũ aliquem eſſe, cum eares innumerabilibus officijs & laudibus cõtineretur. Huic igitur viro bono, quem Fimbria etiam, non modo Socrates nouerat, nullo modo videri poteſt, quicquam eſſe vtile, quod non honeſtum ſit. Itaque talis vir non modò facere: ſed nec cogitare quidem quicquã audebit, quod non audeat prædicare. Hoc nõne eſt turpe dubitare philoſophos, quæ ne ruſtici quidem dubitẽt? à quib⁹ natũ eſt id, quod iã tritũ eſt vetuſtate prouerbiũ. Cũ enim fidẽ alicuius, bonitatemq; laudant:

dignũ esse dicunt, qui cũ in tenebris mices. Hoc quã habet vim, nisi illam, nihil expedire quod non deceat, etiã si id possis nullo refellente obtinere? Vides nè igitur hoc prouerbio, neq; Gygi illi posse veniam dari, neq; huic quem paulò antè fingebam, digitorum percussione hæreditates omnium posse conuertere? Vt enim quod turpe est, id quãuis occultetur, tamen honestum fieri nullo modo potest: sic quod honestum non est, id vtile vt sit effici non potest, aduersante & repugnante natura. At enim cũ per magna præmia sunt, est causa peccandi. C. Marius cũ à spe consulatus longe abesset, & iã septimũ annum post præturam iaceret, neq; petiturus vnquam consulatum videretur Q. Matellũ cuius legatus erat,

they say, he is such a mã, as ye may play & him blidfold. What other meanyng hath that, but this: that nothyng is expedient, whiche is not comely: although you may obtein it without any mãs resistãce. Do ye not se thã bi this prouerb: ✝ neither that same Gyges, can bee borne with, nor this other, whom erewhile I fained with the wagging of his finger to be able to turne to him selfe al mens inheritaunce? For as the thing, whiche is dishonest, although it bee closely kepte, can no waye yet bee made honest: so the thyng which is not honest, can not bee brought to passe to bee profitable, euen nature being against it, & withstanding it. But yet where very great bribes be, there is occasiõ of euyll doing. Whẽ Caius Marius was farre of from hope of the Consulship: & seuen yeres after his Pretorshippe, lay styll: nor seemed as one, that euer woulde labour for the Consulshyppe: to the people of Rome he accused

Quintus

Quintus Metellus, a noble man, and citizen, whose ambassadour he was: when he was sent to Rome from him, being his captein: how that he prolōged ẏ warres: and sayde, if they had made hym Consull; he woulde in a shorte space haue brought Jugurtha, eyther quicke, or dead, into the subiection of the people of Rome. And so in deede he was made Consul: but he swarued from all trust, & iustice: who by false accusacion, brought in an enuie a very good, & graue citizen: whose ambassadour he was, and from whom he was sente. No nor our Gratidianus truly did then the dutie of a good manne, when he was Pretor, & the Tribunes of the people had called vnto thē the cōpany of the Pretors: that ther myght be set a standerd of the coyne, by a cōmon consēt. For in those dayes the money was made so to fall, & rise: that no man coulde knowe, what he had. They penned a decree by a cōmon agremēt vpō a pain,

summum virū, & ciuē; cum ab eo imperatore suo Romam missus esset, apud Popu. Roma. criminatus est, bellū illum ducere: si se COS. fecissent, breui tēpore aut viuū, aut mortuum Iugurtham se in potestatem Po. Ro. redacturum. Itaq; factus est ille quidem COS. sed à fide, iustitiaq; discessit: qui optimū & grauissimū ciuem, cuius legatus, & à quo missus esset in inuidiā falso crimine adduxerit. Nec noster quidem Gratidianus officio boni viri functus est, tunc cum prætor esset collegiumq; prætorum tribuni plebis adhibuisset, vt res numaria de communi sententia constitueretur. Iactabatur enim tēporibus illis numus, sic vt nemo posset scire quid haberet, conscripserunt communiter edictum cum pœna,

tatq; iudicio: constituerunt q; vt omnes simul in rostra post meridiem descenderent, & ceteri quidem alius aliò. Marius à subsellijs in rostra recta, idq; quod communiter compositum fuerat, solus edixit, & eares (si quæris) ei magno honori fuit: omnibus vicis statuæ factæ: ad eas thus & cerei.

Quid multa? Nemo vnquã multitudini fuit charior. Hæc sunt, quæ conturbant homines in deliberatione nonnunquam: cum id, in quo violatur æquitas, est non ita magnum: illud autem quod ex eo paritur, per magnum videtur, vt Mario præripere collegis, & tribunis pleb. popularem gratiam, non ita turpe: consulem ob eam rem fieri, quod sibi tunc proposuerat,

and condemnacion: and appointed, that they all togither at after noone, woulde go downe into Rostra. And then all the reste went eche man his way: Marius from the Senatours benche got him straight to Rostra: and alone proclamed that, which by a common consent was made: and that thing, yf ye desire to know, was to him a greate honour: in all the stretes, images were made him: and to the same offered was incense, and lightes of waxe. What neede manye wordes? No man was thee euer more beloued of the multitude. These bee the thinges, which trouble men oftentimes, in takyng of aduisement: when the thing wherin equitie is broken, is not counted so greate: but that, whiche is gotten by such dealing, seemeth maruailous great. As to Marius it seemed not so dishoneste, to gette away the peoples fauour frõ his felowes and the Tribunes, but to bee made Consull for that doing, which then he had set

before

before his eye, it seemed very profitable. But one rule ther is of all, which I wold faine haue you thorowly to knowe: either the thing, whiche seemeth profitable, let it not be dishonest: or if it be dishonest, lette it not seeme profitable. What shal we then say? May wee eyther take this Marius, or that other, for a good man: Bend, and straine your vnderstandyng, to see what shape, fourme, and image of a good mā is in it. Doth it then commonly befall in a good man to lye for his profite, to accuse, to preuēt, or deceiue? Of a suretie nothyng lesse. Is ther then any thyng so precious, or any gayne so much to be desired: that ye should therefore leese the glory, & name of a good manne? What is ther so much, that this profite (as they call it) is able to bring vs, as it maye pull frō vs: in case it take away ỹ name of a good mā, & spoil vs of trouth, and iustice: For what differēce is ther: whether one shape turn him

valde vtile videbatur. Sed omnium vna regula est, quā cupio tibi esse notissimam: aut illud, quod vtile videtur, turpe ne sit: aut si turpe est, ne esse vtile videatur. Quid igitur, possumus nè, aut illum Marium virum bonum iudicare, aut hunc? Explica, atq; excute intelligentiam tuam, vt videas quæ sit in ea species, forma, & notio viri boni. Cadit ergo in virum bonum mentiri emolumenti sui causa, criminari, præripere, fallere? Nihil profectò minus. Est ergo vlla res tanti, aut commodum vllum tam expetendū, vt viri boni et splēdorem, & nomen amittas? Quid est quod afferre tātū vtilitas ista, quæ dicitur, possit, quātū auferre, si boni viri nomē eripuerit, fidem, iustitiāq; detraxerit. Quid enim interest virū ex homine

se conuertat quis in beluam? an in hominis figura immanitatē gerat beluæ? Quid? qui omnia recta & honesta negligunt, dum modò potentiam consequantur? Nonnè idem faciunt quod is, qui etiam socerum habere voluit eum, cuius ipse audacia potens esset? vtile enim videbatur plurimum posse alterius inuidia. Id quàm iniustum in patriā, et quàm turpe esset, non videbat.

Ipse autem socer in ore sēper græcos versus Euripidis de phœnissis habebat, quos dicam, vt potero, inconditè fortasse, sed tamen vt res possit intelligi.

NAM SI VIOLANDVM EST IVS REGNANDI GRATIA VIOLANDVM EST, ALIIS REBVS PIETATEM COLAS.

selfe from a man to a beast, or vnder the fourme of man, beares in hym the brutishe cruelnesse of beast: What of them, who sette at nought al good and honest thinges, so they may attain to power? do they not, euen as he did: who woulde needes haue hym to his father in lawe: by whose bolde enterprises he myght beare a swey? For to hym it seemed profitable to be of much power, by an others enuie: but he saw not how vniust, how vnprofitable, how vnhonest it was for his countrey. But as for his father in lawe, he had alwayes in his mouth Euripides greke verses of the Phenissians; which I wyll expresse, as well as I can: Perchaunce without their grace, but yet so as the meanyng may bee conceiued.

If breach of lawes,
a man shal vndertake
He must them boldly breke
for kingdoms sake:
In eche thing els: looke you
regard the right.

Hainous

Haynous was the Etiocles, or rather Euripides: who excepted onely this, whiche was moſt deteſtable. Why do we then gather theſe tryking caſes, as concernyng inheritaunce, merchaundiſe, and deceitfull ſale: Maye beholde hym, that ſought to be kyng ouer the people of Rome, and al nations: and brought it to paſſe. This kynde of deſire who ſo counteth honeſt, he is not well in his witte: for he alloweth the ouerthrow of law, and libertie: and the cruell, and deteſtable oppreſſion of them he reckens a glorious matter.

With what kind of chiding the, or rating rather may I attempt to turne him fro ſo great an errour: who cõfeſſeth it is not honeſt to raign as kyng in that citie, which both hath be, & ought to be free: & yet accoũts it profitable for him, that can bring it to paſſe:

For, O ye goddes immortal, cã the moſt ſhamful, and cruell murder of a mannes owne contrey be profitable? yea

Capitalis Etiocles vel potius Euripides, qui id vnum quod omniũ ſceleratiſſimum fuerat, exceperit. Q uid igitur minuta Colligimus, hereditates, mercaturas, venditiones fraudulẽtas? Ecce tibi qui rexpo. R o. dominuſq́, omniũ gentiũ eſſe concupierit, idq́ perfecerit. Hanc cupiditatẽ ſiquis honeſtã eſſe dicit, amens eſt. Probat enim legũ & libertatis interitũ, earumq́ oppreſſionem tetrã et deteſtabilẽ, glorioſam putat. Q ui autẽ fateatur honeſtũ nõ eſſe in ea ciuitate, quæ libera fuit, queq́ eſſe debeat regnare: ſed ei, qui id facere poſſit, eſſe vtile: qua hunc obiurgatione, aut quo potius conuitio à tanto errore coner auertere? Poteſt enim (Dij immortales) cuiquam eſſe vtile fœdiſſimum & terrimũ parricidiũ patriæ?

quãuis is qui se eo obstrinxerit, ab oppressis ciuibus parens nominetur? Honestate igitur dirigẽda vtilitas est: & quidẽ sic, vt hæc duo verba inter se discrepare, sed tamen vnũ sonare videantur. Nõ abeo ad vulgi opinionẽ, quæ maior vtilitas quã regnandi esse possit. Nihil contra inutilius ei, qui id iniustè consecutus sit inuenio, cũ ad veritatẽ cœpi reuocare rationẽ. Possunt enim cuiquã esse vtiles angores, solicitudines, diurni & nocturni metus, vita insidiarũ periculorumque plenissima? MVLTI INIQVI AT QVE INFIDELES REGNO: PAVCI BONI SVNT. inquit Accius. At cui regno? quòd à Tantalo & Pelope proditum iure obtinebatur. Nam quanto plures ei regi putas, qui

yea though he that hath entwined him self in such blood, be cleaped of the oppressed subiectes paret of the common weale? Profite therefore is to be directed by honestie: and that so, as these two woordes may seeme to differ in them selues in termes, and yet to sounde all one in meanyng. Howe to the opinion of the common people. What greater profite can there bee, than to raigne, and to rule? Contrary wise I finde nothyng more vnprofitable for him, who vniustly hath attained it: when I apply reason to the trouth. For can greues, cares, daply, and nightly feares, and a life full of snares, and daungers bee profitable to any man? About the seking of the crown, many euil, & faithlesse be: But few good mẽ in such a mã shal lightly se. (case quoth Accius. But to which crown? The same, that frõ Tantalus, and Pelops descẽding, was by iust title possessed. For howe manye mo, think ye were vntrue, & vntrusty

vntrusty to that king: who with an armye of Romane people oppressed the people of Rome: and forced that citie to bee subiecte to hym: which was not onely free of it selfe, but also a ruler of other nations? What blots of conscience, suppose you, had he in his herte? what woundes of remorse? But whose life can bee ought worthe to him selfe: when the state of his life is suche, that whoso takes it frō hym, shall be in moste fauour, and fame? In case these thinges be not profitable, which specially seeme so to be: bicause they be full of shame and reproche: we ought now to be fully perswaded, ỹ nothing is profitable, whiche is not honest. Notwithstanding the same, bothe at diuers other times, & namely in the warres with Pyrrhus, was so adiudged by Caius Fabritius in his second Consulship, & also by our Senate. For when king Pyrrhus vnprouoked had moued warre against the people of Rome: & ỹ fight was al about empire wt ỹ noble, and

exercitu Populi Romani populū ipsū Romanū oppressisset, ciuitatēq; nō modo liberā, sed etiā gētibus imperantē, seruire sibi coegisset? Hunc tu quas conscientiæ labes in animo sences habuisse quæ vulnera? Cuius autem vita ipsi potest vtilis esse, cūcius vitæ ea conditio sit, vt qui illam eripuerit, in maxima & gratia futurus sit & gloria? Quòd si hæc vtilia non sunt, quæ maxime videtur, quia plena sunt dedecoris ac turpitudinis, satis persuasū esse debet, nihil esse vtile, quod non honestum sit. Quanquam id quidem cū sæpe alias, tū Pyrrhi bello à C. Fabritio COS. iterū, & à Senatu nostro iudicatum est. Cum enim rex Pyrrhus P. Romano bellum vltrò intulisset, cumq; de imperio certamē esset cum rege generoso

ac potente, perfuga ab eo venit in castra Fabritij, eique est pollicitus, si præmium ei proposuisset, se, vt clàm venisset, sic clàm in Pyrrhi castra rediturum, & eum veneno necaturum. Hunc Fabritius reducẽdum curauit ad Pyrrhum: idq; eius factum à senatu laudatum est. Atqui si speciem vtilitatis, opinionemq; quærimus, magnum illud bellum perfuga vnus, & grauem aduersarium imperij sustulisset, sed magnũ dedecus & flagitium: qui cum laudis certamen fuisset, eum non virtute, sed scelere superatum. Vtrum igitur vtilius vel Fabritio, qui talis in hac vrbe, qualis Aristides Athenis fuit: vel senatui nostro, qui nunquã vtilitatẽ à dignitate seiunxit, armis cũ hoste certare, an venenis?

e puissaunt prince: a runaway traitour went frõ him to Fabritius campe: and promised, that, if Fabritius wolde offer hym a good reward: as he came priuily, so he wolde returne priuily to Pyrrhus pauilion: and dispatch hym with poyson. Fabritius caused hym to be caried back againe to Pyrrhus: and that deede of his was wel commended of the Senate. But if we seke the profite, and respecte of profit: true it is, this one runaway myght haue made an end of the great warre, and that greuous enemie of the Empire: but it had been a great shame, & fowle deede, to haue hadde him subdued not by prowesse, but by trecherie: with whõ the fight was all for glorie. Whether then was it more profitable eyther for Fabritius, who was such a one in our citie, as Aristides was at Athenes: or for our Senate: who neuer seuered profite from honour: to warre againste theyr enemie with armes, or with poyson?

If Empire be to be sought, for cause of glory: lette trecherie be eschewed, wherin can be no glory: agame, if ryches be sought any maner way: they can not be profitable, if they come with infamie. Therfore that aduise of Lucius Philippus, Quintus sonne, was not profitable: that those cities which Lucius Sylla, for a certeine somme of money, had discharged of tributes, by decree of the Senate, shoulde agame be tributarie: and yet we shoulde not restore them that moneye, which for theyr being free, they hadde disbursed. The Senathouse agreed al with him. A sclaunder it was to the gouernement. For of Pirates better is the promise, than of the Senate. Yea but the tributes (they wyll say) wer thereby augmented: therefore it was profitable. How long wyll they bee bolde to call anye thing profitable, that is not honest: Can hatred, & infamie be profitable to any state that shold be vpholdē with glorie,

Si gloriæ causa imperium expetendum est: scelus absit, in quo non potest esse gloria. Sin ipsæ opes expetuntur, quoquo modo non poterunt esse vtiles cum infamia. Non igitur vtilis illa L. Philippi Q. filii sententia, quas ciuitates L. Sylla pecunia acceptata ex sena. cons. liberauisset, vt ea rursus vectigales essent: ne quæ his pecuniam, quam pro libertate dederant redderemus, ei senatus est assensus. Turpe imperio. Pyratarum enim melior fides, quàm senatus. At aucta vectigalia. Vtile igitur, quousq; audebunt dicere, quicquam vtile quod non honestum? potest autem vlli imperio, quod gloria debet fultum esse,

& beneuolentia sociorum, vtile esse odium & infamia? Ego etiam cum Catone meo sæpe dissensi. Nimis enim mihi videbatur præfracte ærarium, vectigaliaq; defendere: omnia publicanis negare, multa socijs, cum in hos benefici esse deberemus, cum illis sic agere, vt cũ colonis nostris soleremus. Eoq; magis, quòd illa ordinum coniunctio ad salutem Reip. pertinebat. Malè etiam Curio, cum causam transpadanorum æquam esse dicebat. semper autem addebat, vincat vtilitas, potius diceret nõ esse æquam, quia non esset vtilis Reip. quam cum vtilẽ esse diceret, non esse æquam fateretur. Plenus est sextus liber de officijs Hæcatones taliũ questionũ sit ne boni viri in maxima caritate annonæ familiam non alere,

glorie, & good will of theyr leagfrẽds? I my self oftentimes haue disagred euẽ w̃ my Cato: for ouerstiflyme thought he defẽded ẏ treasurye gaine, & tributes: & denied al maner alowãces to ẏ farmers of our customes, & many, to our leagfrendes: whereas towarde these we should be beneficial: and so deale with those: as we wer wont to do with our citizẽs sẽt to inhabit new townes, & so much the more, bicause ẏ knitting together of those degrees of men did perteine to the safetie of the common welth. Curio also did euyll, in ẏ he saide, the Transpadanes mater was iust: but yet euermore he cryed. Let profite preuaile. He shoulde rather haue saide their mater was not iust, bicause it was not profitable for the common welth: than when he said, it was iust, he shold graũt, it was vnprofitable.

Hecatoes sixte boke of duties is ful of such questions: Whether it be fit for a good mã, in a very great derth of corne, to giue ouer houskeping?

ying: He disputes the mater on both sides: but yet at last he thinketh, dutie is directed rather after profit, than after humanitie.

He puttes the case, if one must needes take losse by sea: whether shoulde he rather bere the losse of a horse much worth, than of a slaue little worth. In this case, priuat profit leades a man one way, & humanitie another. If a foole in a shypwrack catch hold of a boord: shal a wise mā take it from him, if he can: He saith, no, bicause it were iniurious. What may the owner of the shippe do: shall he take his owne: No, no more than he may cast a passenger out of the ship into the sea, bicause it is his. For vntyll they arriue at the place, whether the ship was hired: the shyp is not ỹ owners, but theirs, that sail in it. What if twoo in a shipwracke light vpon one boorde: and they both be wise mē: shold eyther of thē pul it to him self: or one giue ouer his hold to the other? Yea, he shoulde giue ouer: but

in vtranq; partem disputat: sed tamen ad extremum vtilitate non putat officium dirigi, magis quàm humanitate. Q uaeritsi in mari iactura facienda sit, equi ne preciosi potius iacturam faciat, an seruili vilis? Hic aliò res familiaris, aliò ducit humanitas. Si tabulam de naufragio stultus arripuerit, extorquebit ne eam sapiens, si potuerit? Negat, quia sit iniurium. Q uid dominus nauis? eripiet ne suum? Minimè. Non plus, quàm si nauigantem in alto ejcere de naui velit, quia sua sit. Q uoad enim perueniatur sit eò, quò sumpta nauis est, non domini nauis, sed nauigantium. Q uidsi in vna tabula sint duo naufragi, hiq́ue sint sapientes: sibi vterq́ue rapiat? an alter cedat alteri? cedat vero:

sedei, cuius magis interfit, vel sua vel Reipub. causa viuere. Quid si haec paria vtroq; ? nullum erit certamen, sed quasi forte, aut dimicando victus, alteri cedat alter. Quid si pater fana expilet, cuniculos agat ad erarium, indicet nè id magistratibus filius? Nefas id quidem est, quin etiam defendat patrem, si arguatur. Non igitur patria praestat omnibus officijs, immò verò: sed ipsi patriae cõducit, pios habere ciues in parentes. Quid si tyrannidem occupare, si patriam prodere conabitur pater, si libebit nè filius? immò verò obsecrabit patrem ne id faciat: si nihil proficiet accusabit: minabitur etiam: ad extremum: si ad perniciem patriae res spectabit:

but to him', whom it were more expedient to liue, eyther for his owne, or the cõmon weales sake, what if these be alike in both? Thẽ ther shall be no striuing betwene thẽ: but the one must yeeld to the other, as the loser doth in lots, or at the Italian play with the fingers called Tocco.

What if the father rob churches? or vndermine & walles of the treasurie? shoulde the sonne open it to the magistrates? That wer lively a cursed deede: yea rather he should defend his father, if he wer accused therof. Is not our countrey thẽ aboue all duties? yes truly, but it is profitable for ones countrie, to haue the inhabiters reuerence theyr parentes. What if ones father will go about to vsurpe, as a tyraunt, or to betray his countrey, shal the sonne conceale it? May he shall desire his father, not to do it, if he nothing preuail, he shal blame him, and threaten him also. And last of all, if the matter tende to the destruction

of

of hys countrie: he shal preferre the saftie of hys countrie before the saftie of his father.

He puttes a question also: if a wyseman vnwares receiued counterfet money in stede of good: after he perceiues it, whether he should paye it out againe for good money, if he were indetted to any bodye? Diogenes saith, he may: Antipater denies it, to whome I rather agree.

He, that wittingly selleth wine, & will not laste: whether ought he to declare it? or no? Diogenes thynks, it is not nedefull: Antipater reckēs it the dutie of a good manne. These bee (as ye would say) the cases, in cōtrouersie, in the Stoikes matters of lawe. Whether, in selling a bondman, his faultes are to bee tolde or no? I meane not those, which onelie you declare, the bondeman may be turned home againe by the ciuill law: but these, that he is a lyer, a dycer, a pyker, a drōkard: some thynk meete

patriæ salutem anteponet saluti patris.

Quæritetiam si sapiens adulterinos nummos acceperit imprudens pro bonis, cum id rescierit, soluturus nè sit eos, sicui debeat, pro bonis. Diogenes ait. Antipater negat: cui potius assentior.

Qui vinum fugiens vendat sciens, debeat ne dicere? non necesse putat Diogenes: Antipater viri boni existimat. Hæc sunt quasi controuersia tura Stoicorum, in mancipio vendendo dicenda ne vitia? Non, nisi ea quæ si non dixeris, redhibeatur mancipium iure ciuili.

Sed hæc, mendacem esse, aleatorem, furacem, ebriosum, alteri dicenda, vi-

dentur, alteri non videntur. Si quis aurum vendens, orichalcum se putat vendere indicet ne ei vir bonus aurū illud esse, an emat denario, q̄ sit mille denariū? Perspicuū iam est, & quid mihi videatur, & q̄ sit inter eos philosophos, quos nominaui, controuersia. Pacta et promissa semper ne seruanda sint, quæ nec vi, nec dolo malo, vt prætores solent dicere facta sint. Si quis medicamentū cuipiam dederit ad aquā inter cutem, pepigeritq̄, si eo medicamēto sanus factus esset, ne illo medicamēto vnq̄ postea vteretur: si eo medicamēto sanus factus sit, & annis aliquot post inciderit in eūdem morbum, nec ab eo qui cum pepigerat impetret, vt item eo liceat vti, quid faciendum sit, cum sit is inhumanus, qui non concedat vti nec ei quicquā fiat iniuriæ?

to be tolde some other, not so. If one selling golde, supposeth he sells but copper: should a good man of dutie tell him, ỹ it is golde? or may he bye for a peny, ỹ is worthe a thousand? It is already very plaine, bothe what I thinke, and what ỹ controuersie is among the philosophers, whom I named. whether ar couenāts, and promises alwayes to be kepte: which be (as the Pictors vse to speke) made neither by compulsion, nor by couine. If one minyster to an other a medicine for the dropsie: and bindes the pacient by couenant, that he shall neuer after vse the same medicine: in case he be made holle by that medicine: and within a fewe yeres after, do fall into the same disease: and can not obteine of him, with whom he made the couenant, that he may vse it likewise again: what is to bee done, seing he is so vngentle, and will not graunt him to vse it: and yet he shoulde take no harme therby?

The

The man must haue regard to his owne life, and helth.

What if a wiseman be required of one, who makes him hys heire: where two milions, and fiue hundred thousande crownes bee left hym by testament: that, before he haue the possessyon of it, he daunce openly, on ỹ daytime, in the market: and he promiseth, so to doo, because otherwise the manne would not put him in, as hys heire: shoulde he doo then, that hee promised? or no? I would wishe, he had made no suche promes: and that, I think, had ben a point of grauity: but seing he promised it, if hee count it dishonest to dance in the market: he shal with the more honestye go from hys worde, if he take nothing of the inheritãce: except peraduenture he wyll bestowe that same money vpon the commonwelth, in some time of great necessytie, that it may be no shame for him euen to dance when he shall procure the welthe of his countrie.

Vitæ & saluti consulendum est.

Quid? si quis sapiens rogatus sit ab eo qui eum hæredem faciat, cum ei testamento sestertium millies relinquatur, vt antequam hæreditatem adeat, luce palam in foro saltet, idque se facturum promiserit, quod aliter eum hæredem scripturus ille non esset: faciat quod promiserit, nec ne? promisisse nollem: & id arbitror fuisse grauitatis. Sed quoniam promisit, si saltare in foro turpe ducet, honestius mentietur, si ex hæreditate nihil ceperit, quam si ceperit: nisi forte eam pecuniam in Reipubli. magnum aliquod tempus contulerit: vt vel saltare eum, cum patriæ consulturus sit, turpe non sit.

Ac ne illa quidem promissa seruanda sunt, quæ non sunt his ipsis vtilia, quibus illa promiseris.

Sol Phaethonti filio (vt redeamus ad fabulas) facturum se esse dixit, quicquid optasset, optauit vt in currū patris: tolleretur, sublatus est. Atq; is antequam cōstitit ictu fulminis deflagrauit, quanto melius fuerat in hoc promissum patris non esse seruatum. Quid, quod Theseus exegit promissum à Neptuno? cui cum tres optationes Neptunus dedisset: optauit interitum Hippolyti filij sui, cum is patri suspectus esset de nouerca: quo optato impetrato Theseus in maximis fuit luctibus.

Quid? Agamemnon cum deuouisset Dianæ ꝙ in suo regno pulcherrimum natū

No nor those promises are to be kept: which be not profitable euen for thē, to whō you made them.

Titan (that we may return to fables) said to Phaethon hys sonne: he would doo, whatsoeuer he woulde desire. He desired to be taken vp into hys fathers charret: & madde foole was hoisted vp: & on the syde where he stoode, with a flashe of lyghtening he fell all on a fyre. How much better had it ben, hys fathers promes had not been in thys performed?

What shal we say to the promes, that Theseus required of Neptunus? to whom whē Neptunus had granted three boones: Theseus asked the death of Hippolytus, hys sōne: whē hys father had hym in a telousie for hys stepmother: which boone being obtayned, Theseus fell into very great lamentacion.

What of Agamēnon? When he had vowed to Diana y fayrest creature, that shold be

bee borne that yere in hys kingdome: he offered vp in sacrifice hys daughter, Iphigenia: who was the fayrest creature, borne that yere. The promise rather should not haue been kept, than so hainous a deede should be committed.

Wherfore promyses also, many times, are not to bee performed,

Nor at all times, thynges layde to keepe are to be restored. As if one, wel in his wytt: shall leaue a sworde with ye to keepe: and aske it agayne, when he is mad: it wer a sinne, to restore it, and dutie, to kepe it.

What if one who hath lefte money with you to keepe, would make warre againste youre countrey: shall ye restore, that was layde ye to kepe: No, as I suppose: for ye shall doo agaynst the comonwelth, which ought to be most dere vnto you.

So, many thynges, which by nature seeme to bee honest, by chaunge of tymes, become dishonest.

esset illo anno immolauit Iphigeniam, qua nihil erat eo quidem anno natum pulchrius. Promissum potius non faciendum, quàm tam tetrum facinus admittendum fuit. Ergo & promissa non facienda nonnunquam, neque semper deposita reddenda sunt.

Si gladium quis apud te sana mente deposuerit, repetat insaniens, reddere peccatum sit, non reddere officium.

Quid? si is qui apud te pecuniam deposuerat, bellum inferat patriæ: reddes ne depositum? Non credo. Facies enim contra Rempubli. quæ debet esse charissima. Sic multa, quæ natura honesta videntur esse, temporibus fiunt non honesta.

Facere promissa, stare conuentis reddere depositа, cõmutata vtilitate fiunt non honesta.

Ac de his quidem quæ videntur esse vtilitatis contra iustitiam simulatione prudentiæ, satis arbitror dictũ.

Sed quoniam à quatuor fontibus honestatis primo libro officia duximus: in eisdem versabimur cum docebimus ea, quæ videntur esse vtilia, neque sint, quam sint virtutis inimica.

Ac de prudentia quidem, quam vult imitari malitia, itemque de iustitia, quæ sẽper est vtilis, disputatum est. Reliquæ sunt duæ partes honestatis: quarum altera in animi excelentis magnitudine, & prestantia cernitur: altera in conformatione & moderatione continentiæ & temperantiæ

To performe promises, to stande to couenantes, to restore that is lapde pee to keepe, when it otherwyse behoueth, it becõmeth dishoneſt. And of theſe, whych seme to be cases of profite, contrary to iustice, vnder pretence of wysedome: I thinke it sufficiently declared.

But for as much as, in our first booke, we haue drawn all duties, out of foure fõtaines of honestie: we shall tontinue still in the same: when we teache, what enemies of vertue those things be: which seme to be profitable, & are not so in dede.

And thus of wisedome, whom wylines woulde resemble: & likewise of iustice which is always profitable we haue discoursed.

The other two partes of honesty remayne: whereof ỹ one is sene in the greatnesse, and worthynesse of an excellent corage: ỹother, in the framing, and measuryng of stayednesse, and temperaunce.

It

It seemed profitable to Ulysses (as somme tragical poets haue it set out: for in Homer, the beste auctho, ther is no such suspicion of Ulysses) but the tragedies do laye it as a repproche to hym: that, by counterfeting madnesse, he wouldе haue scaped goyng a warre fare. It was no honest deuise.

Yet profitable it was (as somme peraduenture wyll say) to rule, and to liue quietly at Ithaca, wyth hys parentes, with hys wife, and with his sonne.

Thynk you any honour, got in dayly daungers, and trauailles, is to be compared wyth thys quietnesse of life? I verely iudge it mete to be despised, and reiected: because whatso is not honest, I count it in no wyse to be profitable.

For what, think you, Ulisses should haue herd, if he had continued styll in hys counterfeting: who, hauing done gret feates in warre, yet herde these wordes of Aiax.

Vtile videbatur Vlyssi, vt quidam poetæ tragici prodiderunt: nã apud Homerũ optimum authorem talis de Vlysse nulla suspicio est: sed insimulant eum tragœdiæ, simulatiõe insaniæ militiã subterfugere voluisse: non honestum consilium: at vtile (vt aliquis fortasse dixerit) regnare, & Ithacæ viuere otiose cum parentibus, cum vxore, cũ filio. Vllum tu decus in quotidianis periculis & laboribus cum tranquillitate hac conferendum putas? Ego vero istam contemnendam & abiciendã: quoniam quæ honesta non sit, ne vtilẽ quidem esse arbitror. Quid enim auditurũ putas fuisse Vlissem, si in illa simulatione perseueraſſet? qui cum maximas res gesserit in bello, tamen hæc audiuit ab Aiace. Vlis.

Cuius ipſe princeps iuſiurandi fuit,

Quod omnes ſcitis, ſolus neglexit fidem:

Furere aſſimulauit, ne quò iret: inſtitit.

Quòd ni Palamedis pero ſpicax prudentia

Iſtius percepſet malitioſam audaciam,

Fide ſacratum ius perpetuò falleret.

For all the conſcience of that othe,
he paſſed not a fly,
VVhich he himſelf procured firſt,
ye wot, as well as I.
He coulde put on a fained face,
& fare, as he wer mad
And not to go with them,
he wrought
with al the wiles he had
His ſlye boldnes but that Palamede
by depe policy did ſpy:
The ſacred lawe of ſolem othe
the freke wold ſtill deny.

Illi vero non modò cum hoſtibus, verum etiam cum fluctibus, id quod fecit, dimicare melius fuit, quàm decerere conſentientem Græciam ad bellum barbaris inferendum.

Sed omittamus et fabulas et

For him no doute it was better to fight not onely wyth hys enemyes, but alſo with the waues of the ſea, as he did: than to ſhrink from the of Greece, who had concluded togither to make war vpon the Troians. But let vs leaue of both fables, and forein

forein examples, and come we to trouth, and deedes.

When Marcus Attilius Regulus, being seconde time Consull, was taken by a traine in Affrike: Xantippus the Lacedemonian being the gude: & Amilcar, Annibals father, the generall: he was sent to ỹ Senate vpon his othe: that except certeine gentlemenne taken prisoners wer restored to the Penes, he shold himselfe retourne to Carthage.

When he was comme to Rome, he saw weill ỹ show of profit, but as the matter proueth, he iudged it verye vaine, which was but on thys sort, to tarie still in his countrey: to bee at home with hys wyfe, and childern, to kepe hys degree of Consular estate, & to take the misery, which he had felt in warre, to be commõ to warrefaring fortune. Who can deny these things to be profitable: What thik you: Greatnesse of corage, and mãlines saith nay to it.

Loke

externa, ad rem factam nostramque veniamus. M. Attilius Regulus, cum COS. Iterum in Africa ex insidijs captus esset, duce Xantippo Lacedæmonio, Imperatore autẽ patre Annibalis Hamilcare, iuratus missus est ad senatum: vt nisi redditi essent Pœnis captiui nobiles quidam, redire ipse Carthaginem.

Is cum Romam venisset, vtilitatis speciem videbat sed eam (vt res declarat) falsam iudicauit: quæ erat talis, manere in patria, esse domi suæ cum vxore, cum liberis, quam calamitatem accepisset in bello, cõmunem fortunæ bellicæ iudicãtem, tenere consularis dignitatis gradum. Quis hæc neget esse vtilia quem censes? Magnitudo animi & fortitudo negat.

Num locupletiores quæris authores? Harum enim est virtutum proprium, nil extimescere: omnia humana despicere: nihil, quod homini accidere possit, intolerandum putare. Itaque quid fecit? Insenatum venit: mãdata exposuit: sententiam ne diceret, recusauit: quandiu iureiurando hostium teneretur, non esset se senatorẽ. Atque illud etiam (O stultum hominem, dixerit quispiam, & repugnantem vtilitati suæ.) Reddi captiuos negauit esse vtile. Illos enim adolescentes, & bonos duces sciam confectum senectute. Cuius cum valuisset auctoritas, captiui retenti sunt · ipse Charthaginem redyt. Neque cum charitas patriæ retinuit, nec suorum.

Neque vero tum ignorabat

Loke ye for more substantiall authorities? For of these vertues is it the propertie, to be aferde of nothing, to despise al worldly vanities, to thinke nothing vnsufferable that to man may befal.

Therfore what did he? Hee came into the Senate: declared that he had in commaundement: refused to gyue his sentence, and said, he was no Senatour, as long as he was bounde by othe ministred by hys enemies. Yea and thys moreouer he sayd (O foolishe mã, wyll some saye, and against hys owne profit) that it was not expedient to haue the captiues restored.

For he alledged, they were yong, and good capteynes: wheras he was worne, and spent with age. Whose authoritie when it had preuayled: the captiues were kept still: he himselfe returned to Carthage: and neither loue of hys countrye, nor of hys kinsfolke stayed him.

Yet was it not vnknown to him,

him, that he returned to a verie cruell enemie, and to extreme tormẽts: but he thought hys othe meete to be perfourmed. Wherfore euen at that time, when he was put to death wyth continual waking: he was in better state: than if he had remayned an aged captiue, and a periured Senatour at home.

But fondly, wyll some say, he did: who not onelye iudged it vnmeete, that the captiues shold be restored, but also disswaded it.

How, I pray ye, did he fondly? Did he so, seing he auailed the commõ welth? May that be profitable for any citizen, which is vnprofitable to the state? Yẽ do wrest those foundations which nature laieth: when they seuer profit from honestie. For we al couet profit, & to it be caried, nor by any meanes otherwise can we do. For who is he, that fleeth profit? or who rather is ther that foloweth not the same most diligently?

se ad crudelissimũ hostẽ, & ad exquisita supplicia profici sci: sed iusiurandum cõseruandum putabat. Itaque tum cum vigilando necabatur, erat in meliore causa, quã si domi senex, captiuus, periuris, consularis remansisset. At stultè: qui nõ modo non censuerit captiuos remittendos, verum etiam dissuaserit.

Quomodo stultè? etiam ne si Reip. conducebat: Potest autẽ quod inutile Reip. sit, id cuiquam ciui vtile esse? peruertunt homines ea, quæ sunt fundamẽta naturæ, cũ vtilitatem ab honestate seiungunt. Omnes enim expetimus vtilitatem, ad eamq; rapimur, nec facere aliter vllo modo possumus. Nam quis est, qui vtilia fugiat? aut quis potius, qui ea non studiosissime persequatur?

But

Sed quia nusq̃ possumus, nisi in laude, decore honestate, vtilia reperire: propterea illa prima & summa habemus, vtilitatis nomẽ non tã splẽdidum, q̃ necessarium ducimus. Quid est igitur (dixerit quis) in iureiurando? num iratum timemus Iouẽ? At hoc quidẽ commune est omnium philosophorum, non eorum modò, qui Deum nihil habere ipsum negotij dicunt, & nihil exhibere alteri: sed eorum etiam, qui Deum semper agere aliquid, & moliri volunt. Nunq̃ nec irasci Deum, nec nocere. Quid autẽ iratus Iupiter plus nocere potuisset, quam nocuit sibi ipse Regulus? Nulla igitur vis fuit religionis, quæ tantam vtilitatẽ peruerteret. An ne turpiter faceret: primũ minima de malis. Nũ igitur tãtum mali turpitudo ista habebit,

But because nowhere wee can finde thyngs profitable but in prayse, semelinesse, & honesty: therfore we esteme those as chiefe, and best: & the cõmẽdaciõ of profit we count not so honorable, as necessary. What is ther thẽ in an other: wil some say. Ar we afeerd, Iupiter wyll be angry: Nay this is commõ among al philosophers: not onely those, who holde, that God himself hath nothing to doo, and nothyng appomts to an other body: but them also, who wyll needes haue God alwayes doyng and medling wyth somewhat: that God is neuer angry, nor euer hurteth any creature.

what greater harme coulde Iupiter haue done, being offended, thã Regulus did to himself? Ther was then no respect of religion, that myght ouerturne so great a profitte. What: shoulde he haue done dishonestye? First, of euils the lest were to be chosen. Shall then this dishonestye haue in it so much discommoditie, as

tie, as had that torment? Moreouer this saieng, that is in Accius.

Hast thou thy faithed
promise broke?
My faith I nother gaue,
nor giue,
To any faithlesse,
while I liue.

though of a wicked kyng it be sayd, yet is it excelentlie sayd.

Herunto they adde: ẏ as we say, sõe things seme profitable, which ar not so in dede: that they in like maner say, some things seeme honest, which are not so in deede: as for example, thys same semeth honest that hee dyd returne to torment, for the sauing of hys othe: but it became dishonest: because ẏ which had been wrought by the violence of hys enemies should not haue been by him confirmed. They lay also to thys: ẏ whatso is verie profitable, ẏ same groweth likewise to be honest, although it semed not so at first.

These

quantum ille cruciatus? Deinde illud etiam apud Accium.

FREGISTINE FIDEM? NEQVE DEDI, NEQVE DO INFIDELI CVIQVAM.

Quanquam ab impio rege dicitur, luculentè tamen dicitur.

Addunt etiam, quemadmodum nos dicamus, videri quædam vtilia, quæ non sint sic se dicere videri quædam honesta, quæ, non sint, vt hoc ipsum videtur honestũ conseruandi iurisiurandi causa ad cruciatum reuertisse. Sed fit non honestum, quia quod per vim hostium esset actum, ratum esse non debuit. Addunt etiam quicquid valde vtile sit, id fieri honestum, etiam si antea non videretur.

Hæc ferè contra Regulum: Sed prima videamus. Non fuit Iupiter metuendus, ne iratus noceret: qui neq; irasci solet, neq; nocere. Hæc quidem ratio non magis contra Reguli, quàm contra omne iusiurandum valet. Sed in iureiurando, non qui metus, sed quæ vis sit, debet intelligi. Est enim iusiurandū affirmatio religiosa. Quod autem affirmatè, quasi Deo teste promiseris, id tenendum est. Iam enim non ad iram deorum, quæ nulla est: sed ad iustitiā et ad fidē pertinet. Nā præclare Ennius: O fides alma, apta pinnis, & iursiurandum Iouis.

Qui igitur iusiurandum violat, is fidem violat: quam in Capitolio vicinam Iouis OPT. MAX. vt in Catonis oratione est,

These thinges commonlie be alleged against Regul⁹. But lette vs consider the first.

Iupiter was not to bee feared, lest he shoulde hurt hym in his anger: because neither to be angrie, nor to do harme he is accustomed. This reason surely maketh nomore againste Regulus, than againste all kinde of othes. But in an othemakinge, not what the feare, but what the vertue of it is, ought to be considered. For an othe is a religious assuring of any thing. And whatso assuredly you haue promised, as taking god to witnesse: it ought to bee obserued. For the othe now respectes not the wrathe of ỹ gods, which is none at all: but iustice, & faythfulnes. For notablie said Ennius:

O heauenly Faith, tye to thy wings, the othe of Ioue also.

Whoso then stameth his othe, hee slayneth Ladie Faith: whom, as it appeares in Catoes oration,

ous

our auncestours woulde nedes haue to stand in our Capitole, next vnto ỹ gret, and mighty Ioue.

Yea but Iupiter, being displeased, coulde not haue done more harm to Regul⁹ thā regulus did to himself. That is true if there wer nothing euill, but to feele payne. But the philosophers, that be of the greatest auctoritie, do affirme: that it not onely is not the vttermost euill, but also no euill at all. For whome, I pray ye, doo not refuse to take Regulus, as no mean witnes, but (I beleue) the graueste of all. For what more substanciall witnesse do we looke for, than a pere of the commonweale: who, for the continuing of his dutie, did willingly enter into tormēts: For whereas they say, of euils ỹ least are to be chosen: meaning it is better dishonestly, thā miserablie to liue: is ther any greater euill, than dishonestye? Which if in the deformitie of the bodye it breedeth somme offence: how

maiores nostri esse voluerūt.

At enim ne iratus quidem Iupiter pl⁹ Regulo nocuisset, quàm sibi nocuit ipse Regulus. Certè, si nihil malum esset, nisi dolere. Id autem non modo non summū malum, sed nec malum quidem esse maxima authoritate philosophi affirmant. Quorum quidem testem nō mediocrem, sed haud scio an grauissimum, Regulum, nolite quæso vituperare.

Quem enim locupletiorem quærimus, quam principem Po. R o. qui retinendi officij causa, cruciatum subierit voluntarium? Nam quod aiunt, minima de malis, idest vt turpiter, potius quàm calamitosè: an est vllum maius malum turpitudine? Quæ si in deformitate corporis habeat aliquid offensionis?

quanta illa deprauatio & fœditas turpificati animi debet videri: Itaque neruosius qui ista disserunt, solum audent malum dicere, id quod turpe sit: qui autem remissius, hi tamen non dubitant summum malum dicere. Nam illud quidem.

Neq; dedi, neq; do infideli cuiquam.

how much muſt nedes that corꝛuption, and filth of a defiled minde appere? Therefoꝛe they who moꝛe pithily debate theſe maters ar bold to cal that the only euill, which is diſhoneſt: & they, who diſpute them not ſo earneſtly, do not ſtick to cal ẏ ſame the vttereſt euil. As foꝛ that ſayeng,

My faith I neither gaue, nor giue:
To any faithleſſe, while I liue.

Idcirco rectè à poeta dicitur quia cũ tractaretur Atreus, persona seruiendum fuit. Sed si hoc sibi sumant nullam esse fidem, quæ infideli data sit, videãt ne quæratur latebra periurio. Est autem ius etiam bellicum, fidesq; iusiurandi sæpe hosti seruanda. Quod enĩ ita iuratum est, vt mens conciperet fieri oportere,

it is therfoꝛe well bꝛought in of the Poet: becauſe whẽ Atreus part ſhoulde go in hande, it was meete, the ſpeeche ſhould ſerue foꝛ his perſone. But if hereof they take themſelues a rule, ẏ it is no pꝛomes which is made to a pꝛomes bꝛeaker: let thẽ take hede, ther be not ſought a ſtarting hole foꝛ periurie. The law of armes, and ẏ pꝛomes of an othe is many times to be kept with our enemy. Foꝛ what ſo in ſuch ſoꝛt is ſworn, that the mind of the ſwearer conceyueth,

it is

it is necessarie to be done: ꝓ same is to be obserued: what so falleth otherwise: ꝓ same if one do not, it is no periurie. As if you bring not the ſumme of money that ye promiſed rouers for your life: there is no deceiuing in it: no, though beyng ſworne therto, ye do it not. For a pirate is not counted in the nomber of enemies to ones countrey, but a cõmon enemie to all men. With ſuch a one neither promes, neither oth ought alike, as with vs to be kept. For, to ſwere an vntruth, is not to forſwere: but not to perfourme that, which according to the meaning of your herte ye haue ſworne, as by our cuſtome is expreſt in a certein forme of wordes: ſurely it is periurie. For featly ſayd Euripides:

In word I ſware, but herte vnſworne I bare.

But it was not fit for Regulus with periurie to diſtourbe the cõdicions, & couenants with his enemies, & of warre. For with a iuſt,

id ſeruandum eſt, quod aliter, id ſi non feceris, nullum periurium eſt. Vt ſi prædonib⁹ pactum pro capite pretium non attuleris: nulla fraus eſt, ne ſi iuratus quidẽ id non feceris: Nam pirata non eſt ex perduellium numero definitus, ſed communis hoſtis omnium, cum hoc nec fides debet, nec iuſiurãdum eſſe commune. Non enim falſum iurare peierare eſt, ſed quod ex animi tui ſententia iuraueris, ſicut verbis concipitur, more noſtro, id non facere, periurium eſt. Scitè enim Euripides.

Iurauilingua, mentem iniuratam gero.

Regulus vero non debuit conditiones, pactioneſq; bellicas & hoſtiles perturbare periurio. Cum iuſto enim

& legitimo hoste res gerebatur: aduersus quem & totũ ius feciale et multa sunt iura communia. Quod ni ita esset, nunquã claros viros senatus vinctos hostibus dedidisset. At vero T. Veturius & Sp. Posthumius cum iterum COSS. esset, quia cũ male pugnatum apud Caudium esset, legionibus nostris sub iugum missis, pacẽ cum Samnitibus fecerant, dediti sũt his, iniussu enim Po. Senatusq; fecerãt. Eodẽque tempore T. Numitius, Q. Aemilius, qui tum tribuni plebis erant, quod eorum authoritate pax erat facta, dediti sunt, vt pax Samnitium repudiaretur. Atq; huius deditionis ipse Posthumus, qui dedebatur, suasor et author fuit. Quod idẽ multis annis post C. Mã-

and lawfull enemie: thing was done: towarde whom both all the fecial law, & diuers other lawes bee in cõmon. Which if it wer not so: the Senate woulde neuer haue deliuered to their enemies, noble men being prisoners. But yet Titus Veturius, & Spurius Posthumius, the second time, they wer Consuls: bicause whẽ they had not fought it well at Caudium: & our legions beyng subdued, they hadde made a peas with the Samnites: they were deliuered vnto thẽ, for without commissiõ of the people, and the Senate, they had done it. And at the same time, Titꝰ Numitius, & Quintus Emilius, who wer then the Tribunes of the people, bicause the peas was made by their authoritie: wer deliuered also: that the peas with the Samnites might be refused. And Posthumꝰ self, who was deliuered, was ye perswader, and causer of the same deliuerie. Whiche lykewise Catus Mancinus dyd, manye yeres after: who,

who, that he might be deliuered to the Numantines, with whom without authoritie of the Senate he had concluded a leage: perſwaded ꝑ particuler law: which Lucius Furius, & Sextus Attilius made by the decree of the Senate: & whē it was receiued, he was deliuered to the enemies. This man delt more honeſtli, thē Quintus Pompeius: by whoſe interceſſion, whē he was in ꝑ ſame caſe it was brought to paſſe, ꝑ the lawe was not receiued. With him, ꝑ thing which ſemed profit, preuailed more thā honeſtie. With the other aforeſaid, the falſe ſhow of profit was ſuppreſſed by the authoritie of honeſtie. But that, which was done by violence, needed not to haue been confirmed. As who ſhoulde ſaye, violence coulde bee done to a manly man. Why then dyd he go to the Senate: namely ſeing he was purpoſed to diſſwade them from the deliuerie of the captiues? That in him was moſte commendable, that ſame ye diſalow.

cin', *qui vt Numantinis, quibus cum ſine ſenatus authoritate fœdus fecerat, dedecretur, rogationem ſuaſit eam, quam Lucius Furius & ſextus Attilius ex ſenconſerebant: qua accepta, eſt hoſtibus deditus. Honeſtius hic, quam Q. Pompeius, quo, cum in eadem cauſa eſſet, deprecante, accepta lex non eſt. Hic ea quæ videbatur vtilitas, plus valuit, quam honeſtas. Apud ſuperiores vtilitatis ſpecies falſa, ab honeſtatis authoritate ſuperata eſt. At non debuit ratum eſſe, quod erat actum per vim, quaſi vero ſorti viro vis poſſit adhiberi. Cur igitur ad ſenatum proficiſcebatur, cum preſertim de captiuis diſſuaſurus eſſet. Quod maximum in eo eſt, id reprehenditis.*

Non enim ſuo iudicio ſtetit: ſed ſuſceperit cauſã, vt eſſet iudicium ſenatus: cui niſi ipſe author fuiſſet, captiui profecto Pœnis redditi eſſẽt Ita incolumis in patria Regulus reſtitiſſet. Quod quia patriæ non vtile putauit: idcirco honeſtum ſibi et ſentire illa & pati credidit. Nam quod aiunt, quod valde vtile ſit, id fieri honeſtum immò verò eſſe, non fieri. Eſt enim nihil vtile, quod idem non honeſtum, nec quia vtile honeſtum eſt, ſed quia honeſtum, vtile. Quare ex multis mirabilibus exemplis, haud facile quis dixerit hoc exemplo aut laudabilius, aut præſtantius. Sed ex tota hac laude Reguli, vnum illud eſt admiratione dignũ: quòd captiuos retinendos

For he ſtode not to his owne iudgemẽt: but toke the mater in hand, that it might be the iudgement of the Senate: wherunto if he hadde not ben a counſeler, the captiues no dout had been reſtored to the Cartaginers. So had Regulus remained ſafe in his countrey, whiche thing becauſe he toke it not to be profitable for his contrie: therfore he thought it honeſtie for him, to bee of ỹ minde, and ſo to ſuffer. For where they ſay, ỹ it, whiche is very profitable, doth become honeſt: nay they ſhold ſaye, it is in deede, and not becomes honeſt. For there is nothing profitable, which ſame is not honeſt: ẽ not becauſe it is profitable, it is honeſt: but becauſe it is honeſt, therfore it is ꝓfitable. Wherfore of many marualous examples, a man ſhall not lightly tel either a more cõmẽdable, or a more goodly example, than this. But in all this praiſe of Regul⁹, this one thing is worthy of admiracõ: that he thought it beſt, the priſoners ſhould

bee

dee kepte styll. For in ỹ he retourned, I think it no wonder at all: bicause in those dayes, he could not do otherwise. Therfore that cõmendation is not the mans but the times. For our auncetors wer of this minde: that ther is no straiter bõde to bynde a mannes promes, than an othe. The lawes in the twelue tables declare that: our holi orders declare the same: and our leages declare notesse, wherby hoũde is the promes made euẽ wt the enemie: the enteries, & ponnishmentes of the Censors declare as much: who about no mater more heedfully gaue iudgement, than about keeping of othes. Marcus Pomponius, Tribune of the people, did summon Lucius Manlius, Aulus sonne, when he was Dictator, to appeare at a daie: bicause he had taken vpon him the occupieng of his Dictatorship, a fewe daies lenger, than he sholde: and accused him also, that he had driuen his sonne Titus who afterwarde was called

censuit. Nam quòd redijt, nobis nunc mirabile videtur: illis quidem temporibus aliter facere non potuit. Itaq; ista laus non est hominis, sed temporum. Nullum enim vinculum ad astringendam fidem iureiurando maiores arctius esse voluerunt. Id indicant leges in XII. Tabulis, indicant sacra, indicant fœdera, quibus etiam cum hoste deuincitur fides, indicant notationes, animaduersionesq; CENS. qui nulla de re diligentius quàm de iureiurando iudicabant L. Manlio Auli filio, cum DICTATAT. fuisset, M. Pomponius trib. pl. diem dixit, quod is paucos sibi dies ad dictaturam gerendã addidisset, criminabatur etiã, quòd Titum filium qui Torquat⁹ postea est appellat⁹,

ab hominibus relegasset, & ruri habitare iussisset, quod cum audiuisset adolescens filius negotium adbiberi patri, accurrisse Romam, & eum prima luce Pomponij domum venisse dicitur. Cui cum esset nuntiatum, quòd illum iratum allaturum ad se aliquid contra patrem arbitraretur, surrexit è lectulo, remotisq; arbitris ad se adolescentem iussit venire. At ille, vt ingressus est, cõfestim gladium distrinxit: iurauitq; se illum statim interfecturum, nisi iusiurandum sibi dedisset, se patrem missum esse facturum. Iurauit hoc terrore coactus Pomponius rem ad populum detulit, docuit cur sibi à causa desistere necesse esset. Manlium missum fecit. Tantum temporibus illis iusiurandum valebat. Atq; hic

Torquatus, from company of men: & had commaunded him to dwel in the country. Which when the yongman, his sonne, once herd of, that his father was brought in trouble: it is said, he ranne to Rome: & by breke of day, came to Pomponius house. To whõ when it was told: bicause he thought, that he being offended wold bring some matter vnto him agaunste his father: he arose out of his bedde: and al heaters being voided out of the place, he commaunded, the yongman shoulde come to him. But he, as soone as he entred, by and by drewe his swoord: and sware, he would kyll him out of hand, except he made an oth vnto hym, that he would discharge his father. Pomponius, constreined with this terrour, made an othe so: he opened the matter to the people: he enfourmed thẽ, why it was necessarie for him to let fall the action. He discharged Manlius. So greatly was an othe hadde in regarde, at those dayes. And this Tu-

Manly-

Manlius is he, who got his surname, at the riuer of Anien, of a chain, that he pulled frō a Frenchmā: whom he slewe, being bogged by hym: in whose thirde Consulship, the Latines at Aeseris wer discomfited & put to flight. A very noble man doutlesse: and one, who not long afore being louing towarde his father, became sower, & seuere against his sonne. But as Regulus is to be commended, in keping his othe: so those ten, whom Annibal, after the Cannensian fight, sent to the Senate, vpon their othe, that they should returne into ꝑ campe, wherof the Carthaginers wer then in possession: except they obteined his request, for the raūsomming of certeyne ꝓsoners: are to be dispraised, if they did not returne. Touching whom, all men write not after one sorte. For Polibius, a special good author, writeth: that of the tenne chosen gentlemenne, who then were sent, nyne retourned:

T. Manlius is est qui ad Anienem Galli, quem ab eo prouocatus occiderat, torq; detracto, cognomen inuenit: cuius tertio consulatu Latini ad Veserim fusi & fugati sunt. Magnus vir in primis, & qui perindulgens in patrem, idem acerbe seuerus in filium. Sed vt laudandus Regulus in conseruādo iuriurando, sic decem illi, quos post Cannensem pugnā iuratos ad senatum misit Annibal, se in castra redituros ea, quorum potiti erāt Pœni, nisi de redimendis captiuis impetrauissent, si non redierunt vituperandi de quibus nō omnes vno modo. Nam Polybius bonus author in primis scribit, ex decem nobilissimis qui tunc erant missi, nouem reuertisse

à senatu re non impetrata: vnum ex decem, qui paulò post qua egressus erat è castris rediisset, quasi aliquid esset oblitus, Romæ remansisse. Reditu enim in castra liberatum se esse iureiurando interpretabatur. Non rectè. Fraus enim distringit, non dissoluit periurium. Fuit igitur stulta calliditas peruersè imitata prudentiam. Itaq; decreuit senatus, vt ille veterator & callidus vinctus ad Annibalem duceretur. Sed illud maximum octo hominum milia tenebat Annibal: non quos in acie cepisset, aut qui periculo mortis diffugissent: sed qui relicti in castris fuissent à Paulo & Varrone COS. Eos senatus non censuit redimendos: cum id parua pecunia fieri posset: vt esset insitum militibus nostris

when the mater could not be obtained of the Senate: and that one of the tenne, who a litle after, he was gone oute of the camp, returned backe, as though he had forgotten somewhat: remained styll at Rome. For by his retourn to the camp, he toke himself to bee discharged of his othe: but that was not true. For gyle confirmeth, & not dischargeth periurie. It was then a foolish craftinesse, that did peuishly counterfet wisdome. Therfore the Senate made a decree: that the same suttle & wyly fox should bee caried pinnond vnto Annibal. But this is a marualous matter: Annibal had in hold eight thousand of our men: whō he toke not in battle, nor as flieng away for feare of death: but they were lefte behind in the cāpe, by Paulus, & Varro, the Consuls. The Senate did not think it good to raunsome them: whereas they myght haue doone it for a litle money: that it might sink into our souldiours hertes, ey-

ther

ther to winne the victorie, or manfully to dye. Whiche thing when it was knowen: the saide Polibius writes, that Annibals herte was daũted therwith: bicause ỹ Senate, & people of Rome, euen in chaunces of aduersitie, were of so loftye a corage. Thus the thinges, which seme profitable, bee ouerweyed by cõparison of honestie. But that same Acilius, who wrote the storie in greeke, saith: ther wer mo, whiche returned to the campe, vnder the same gyle: that they might be discharged of their othe: and that they were noted by the Cẽsors wt al maner of infamie. Here an end of this parcell. For it is euident, that such thinges, as bee done with a fearefull, seruile, dastardly, & weake hert: as the doing of Regulus had been: if eyther he had thought, cõcerning the prisoners, that he sawe expedient for him self, and not for the cõmõweale, or els woulde haue taried styl at home: be not profitable: bicause they be reprochfull

aut vincere, aut emori.

Q ua quidem re audita, fractum animum Annibalis scribit idem: quòd S.P.q. R. rebus afflictis tam excelso animo fuisset. Sic honestatis cõparatione, ea quæ videntur vtilia vincuntur. Acilius autem, qui græcè scripsit historiam, plures ait fuisse, qui in castra reuertissent, eadem fraude, vt iureiurando liberarentur: eosque à CENS. omnibus ignominijs notatos. Sit iam huius loci finis. Perspicuum est enim ea quæ timido animo, humili, demisso, fractoque fiant (quale fuisset Reguli factium, si aut de captiuis, quod ipsi opus esse videretur, nõ quod Reip. censuisset, aut domi remanere voluisset) non esse vtilia, quia sint flagitiosa,

fœda, & turpia. Reſtat quarta pars, quæ decore, moderatione, modeſtia, continentia, tẽperantia continetur. Poteſt igitur quicquam eſſe vtile quod ſit huic taliũ virtutũ choro cõtrarium? Atqui ab Ariſtippo Cyrenaici atque Annicerij philoſophi nominati, omne bonũ in voluptate poſuerunt: virtutemq; cẽſuerunt ob eam rem eſſe laudãdã, quòd efficiens eſſet voluptatis, quib⁹ obſoletis, floret Epicurus, eiuſdẽ ferè adſutor, authorq; ſententiæ. Cũ his, velis equiſq; (vt dicitur) ſi honeſtatẽ tueri, ac retinere ſententia eſt, decertãdũ eſt. Nã ſi non modo vtilitas, ſed vita omnis beata, corporis firma conſtitutione, eiuſq; cõſtitutionis ſpe explorata (vt à Metrodoro ſcriptum eſt) continetur: certè hæc vtilitas & quidem ſumma (ſic enim cenſent)

ful, vile, and diſhoneſt.

The fourt parte is nowe behinde: which conſiſteth in ſemelineſſe, meaſurekeping, ſobermode, ſtayednelle, and temperaunce. Why then any thing be profitable, that is contrary to ſuch an aſſẽble of vertues? But the Cyrenaikes, and Annicerians, who had their name of Philoſophers from Ariſtippus, placed all felicitie in pleaſure: and therefore they iudged vertue to bee commendable, bicauſe it was a cauſer of pleaſure. And whẽ theſe wer worne out of eſtimacion: then floriſhed Epicurus, a furderer, and an author welnye of the ſame opinion. Againſt them muſt we ſtrive with toothe, and natle (as they ſaye) if we were meane to defende, and preſerue honeſtie. For if not only profit, but alſo al happy life conſiſteth in ỹ good complexion of the body: & in a ſure truſt to the ſame complexion: as by Metrodorus it is written: doutleſſe this maner profit, yea & the verie chiefe (for ſo do they holde)

will

wil strine with honestie.
For first of all, where shall ther be a place apointed for wisdom: What: mean they, that on euery side she shold seke after delicacies: Howe miserable a seruice were it for vertue, to bee a wayter vpon pleasure: But what shoulde be the office of wisdome: Skilfully to choose out pleasures: Admit, there be nothing pleasaunter, thā so to do: what can ther bee imagined more dishoneste: Now with him, who sayth, that paine is the vtterest cupll, what place shal manlynesse haue: whiche cares not for any paines, or trauailes, that be offered: For although Epicurus speakes in many places, touchyng paine (as he dooth in this) stoutly mough: neuertheless it is not to bee regarded what he saith: but what is meete for him to say: who hath pointed out the limits of good things to be in pleasure, and of cupl thinges, in paine: as, yf I shoulde heare him speake of stayednesse, and temperaunce.

cum honestate pugnabit. Nam vbi primum prudentiæ locus dabitur? an vt cōquirat vndique suauites? quam miser virtutis famulatus seruientis voluptati. Quod autem munus prudentiæ? An legere intelligetur voluptates? Fac nihil isto esse iucundius, quid cogitari potest turpius? Iam qui dolorem summum malum dicat, apud eum quem habet locum fortitudo, quæ est dolorum laborumq; contemptio? Quamuis enim multis locis dicat Epicurus (sicut hic dicit) satis fortiter de dolore, tamen non id spectandum est quid dicat, sed quid consentaneum sit ei dicere: qui bona voluptate terminauerit, mala dolore: vt si illum audiam de continentia & temperantia.

He

Dicit ille quidē multa multis locis, ſed aqua hæret, vt aiūt. Nā qui poteſt tēperantiā laudare is, qui ponat ſūmū bonū in voluptate? Eſt enim tēperātia libidinū inimica. libidines autē conſectatrices voluptatis. Atq; in his tamē trib⁹ generib⁹ quoquo modo p̄ſſūt, nō incallidē tergiuerſantur. Prudentiam introducūt, ſcientiā ſuppeditantē voluptates, depellentē dolores. Fortitudinē quoque aliquo modo expediunt: cum tradunt rationē negligenda mortis, perpetiēdiq; doloris. Etiā tēperantiā inducūt nō facillimē illi quidē, ſed tamē quomodo poſſunt. Dicūt enim voluptatis magnitudinē doloris detractione fieri. Iuſtitia vacillat, vel iacet poti⁹: omneſq; hæ virtutes, quæ in cōmunitate cernūtur, & in ſocietate generis humani. Neq; enī bonitas, nec liberalitas, nec comitas eſſe poteſt,

He talkes in deede in many places many thinges: but he is myered by the way, as they ſaye. For how can he praiſe tēperance, that ſettes the ſoueraine good in pleaſure? For tēperance is enemie to luſt: & luſt is a waiting ſeruaunt to pleaſure. And yet in theſe thre kinds not without ſuttletie, they fall to their ſhiftes. They bring in wiſdome, as a ſcience miniſtering pleaſures, & voyding paines. They ſet vs out alſo manlineſſe, after a certein ſort: whē thei teche a way to deſpiſe death & endure paine. They alſo fetche in tēperaunce, with much a do doutleſſe, but yet as well as they may. For they hold, that the greatnes of pleaſure ariſeth by putting of all paine. Iuſtice ſtaggereth with thē, or rather lyeth vnder foote: & al thoſe vertues, that ſhowe thē ſelues in the cōmō knot, & felowſhip of mē. For ther can bee neither goodneſſe, neither liberalitie, nor ciuilitie, no more then frēdſhyp may: if they bee not ſought after,

after, for thē selues: but be referred to pleasure, or to profit. Let vs then driue our matter vnto few words. For as we haue taught, that ther is no profit, which is contrary to honestie: so we say, all voluptuousnesse is contrary to honestie. And so muche the more I take Callipho, & Dinomachus worthy to be reproued: who thought, they shold end the controuersie: if they made a ioynyng of voluptuousnesse with honestie, as of beast & man. Honestie admits not this knot, but doth abhorre, & reiect it. For truely the end of good, & euill, whiche ought to be after one sorte, may be mingled, & tempered with thinges disagreable. But hereof hitherto: for it is a weighty matter, & in an other place discoursed more at large. Now to the purpose.

After what sort thē the matter is to bee resolued, if at any time profite in appearaunce doth strine with honestie: it is before sufficiētly debated. But if voluptuousnes

nō pl' quàm amicitia, si hæc nō per se expetātur: sed ad voluptatē, vtilitatē vereferātur. Conferamus igitur in pauca. Nā vt vtilitatē nullā esse docuimus, quæ honestati esset cōtraria: sic omnē voluptatē dicimus honestati esse cōtrariā. Q uo magis reprehē dēdos Calliphonē & Dinomachū iudico: qui se direpturos cōtrouersiā putauerūt, si cū honestate voluptatem, tāquā cū homine pecudē copulauissent, nō recipit istam cōiūctionē honestas: aspernatur, repellit. Nec vero finis honorū et malorum, qui simplex esse debet, ex dissimilibus reb' miscerī, & tēperari potest. Sed de hoc (magna enī res est) alio loco plurib'. Nūc ad propositū. Q uēadmodū igitur, si quando ca, quæ videretur vtilitas, honestati repugnat: diiudicanda res sit satis est supradisputatum.

Sin autē ſpeciem vtilitatis etiā voluptas habere dicatur: nulla poteſt eſſe ei cū honeſtate cōiunctio. Nā vt tribuamus aliquid voluptati, condimēti fortaſſe nonnihil vtilitatis certe nihil habebit

PERORATIO OPERIS.

Habes à patre munus Marce fili, mea quidē ſententia, magnū, ſed perinde erit, vt acceperis. Quanquā & hi tibi tres libri inter Cratippi cōmentarios tanquā hoſpites erunt recipiendi. Sed vt ſi ipſe veniſſē Athenas (quod quidem eſſet factum, niſi me è medio curſu clara voce patria reuocaſſet) aliquādo me quoq; audires: ſic quoniam his voluminibus ad te profecta vox mea eſt: tribues his tēporis, quantū poteris: poteris autem quantum voles. Cum vero intellexero, te hoc ouſnes alſo bee counted to haue a ſhow of profite: it cā haue no felowſhip with honeſtie. For be it ſo, we ſomwhat eſteme pleaſure: ſome ſawce perhaps it ſhall haue in it, but ſurely no profite at all.

¶ The concluſion and dedication of his woꝛk, & an exhoꝛtation to his ſonne.

You haue frō your father a preſent, ſonne Marke, in my opinion verelye muche woꝛth: but it ſhall bee euen ſo, as ye take it. Notwithſtanding theſe three bookes at, as ſtraungers, to bee entertained of you, amonge Cratippus notes. But as ye ſhold once haue herd me alſo, if I had come to Atheneꝭ: which had ben done in dede: but that my coūtry called me backe with open mouth, in the midſt of my iourney: ſo ſeyng in theſe volumes my voice is conueyed vnto you, ye ſhal beſtow as much time vpō thē as you may: & ſo muche you may, as you wyll. But whē I ſhal vnderſtand, that you take

take pleasure in this kynde of knowledge: then I both present there shortly, as I trust, and in your absence, absēt wyl speake with you. Fare you wel therefore, my Cicero: and assure your self, that you ar to me doutlesse right dere: and yet farre dearer shal be: if in such bookes, and lessons, you wyll sette your delite.

scientiæ genere gaudere: tum & præsens tecum propediem (vt spero) & dum aberis absens loquar. Vale igitur mi Cicero, tibiq; persuade, te mihi quidem esse charissimum, sed multò fore chariorem, si talibus monimentis, præceptisq;, laetabere.

Imprinted at London in Fleete strete within Temple barre at the signe of the hande and starre, by Rychard Tottil.
The xiiii. day of Aprill.

Anno. 1558.

¶ *Cum priuilegio ad imprimendum solum.*